



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 12, 2020

Subject: Convey County-owned real property along Fitzuren Road in Antioch to the City of Antioch.

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the conveyance of County-owned real property along Fitzuren Road, in Antioch, identified as Assessor's Parcel Nos. 067-342-001, -002, and -013 (the "Property"), to the City of Antioch under the terms of the purchase and sale agreement between the County and the City, pursuant to Government Code section 25365. (7579-6D8396).

DETERMINE that the Property is no longer required for County purposes.

DETERMINE that this activity is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15312.

AUTHORIZE the Public Works Director, or designee, to execute the purchase and sale agreement on behalf of the County.

AUTHORIZE the Chair, Board of Supervisors, to execute a grant deed attached to the purchase and sale agreement on behalf of the County.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **05/12/2020** ☒ 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  
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: May 12, 2020

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

Contact: Olivia Reynolds-Freeman,  
925. 957-2462

By: Stacey M. Boyd, Deputy

cc:

DIRECT the

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

Real Estate Division of the Public Works Department to cause said grant deed and a certified copy of this board order to be delivered to the City of Antioch for acceptance and recordation.

### FISCAL IMPACT:

No fiscal impact.

### BACKGROUND:

The County acquired real property along Fitzuren Road, in Antioch, identified as Assessor's Parcel Nos. 067-342-001, -002, and -013, (the "Property") for drainage purposes in the City of Antioch. The County no longer requires the Property for County purposes. Also, as part of the Stipulation for Judgment and Final Order of Condemnation entered into by the District, the City, and the defendants in Contra Costa County Flood Control and Water Conservation District, et al., v. Eames, et al., Case No. C15-02052, the District agreed to ask this Board to consider conveying the Property to the City.

If the Board approves the conveyance, the City will be required to accept the parcels in their as-is condition, to release the County from liabilities related to the Property, and to indemnify the County from third-party claims related to the Property. These terms are included in the attached purchase and sale agreement between the County and the City. Real Estate Division staff have conferred with Flood Control staff, who confirmed that neither the District nor the County needs to reserve any easements in the Property because facilities in the Property are not owned, operated, or maintained by the District or the County.

The Property is surplus County property and no longer needed for County purposes. The Property is not located in an area of statewide, regional, or area wide concern listed in Section 15206(b)(4) of the CEQA Guidelines. Therefore, this activity is exempt from CEQA under CEQA Guidelines Section 15312.

Notice of intention to convey the Property to the City was published in the East Bay Times on May 5, 2020, pursuant to Government Code section 25365. Staff recommends that the Board approve the conveyance of the Property to the City under the terms of the purchase and sale agreement.

### CONSEQUENCE OF NEGATIVE ACTION:

The County would continue to be liable for the Property even though it no longer requires the Property for County purposes.

### ATTACHMENTS

Grant Deed

Fitzuren City-County PSA

