



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: September 22, 2020

Subject: APPROVE Temporary Construction Easement and Agreement and Grant of Easement with EBMUD;
APPROVE an Encroachment Permit with EBRPD, Orinda area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a Temporary Construction Easement and Agreement and a Grant of Easement from East Bay Municipal Utility District (EBMUD) for property rights located on a portion of APN 257-020-003, and APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an Encroachment Permit with East Bay Regional Park District (EBRPD) for the property rights located on a portion of APN 257-010-002 in connection with the Pinehurst Sinkhole and Culvert Repair, in the unincorporated Orinda area. (County Project No. 0672-6U6202; Federal Project No. ER 32L0 (517))

DIRECT the Auditor-Controller to issue payment in the amount of \$7,500 (\$3,000 for property rights granted by the Temporary Construction Easement and Agreement and \$4,500 for the property rights granted by the Grant of Easement) to East Bay Municipal Utility District, 375 11th Street, MS 903, Oakland, CA 94607.

DIRECT the Auditor-Controller to issue payment in the amount of \$3,000 for said property rights for the Encroachment Permit to East Bay Regional Park District, 2950 Peralta Oaks Court, Oakland, CA 94605, Permit No. 062E-20-134, to be forwarded to the Real Estate

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **09/22/2020** ☒ 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: September 22, 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:

Division for Delivery.

RECOMMENDATION(S): (CONT'D)

DIRECT the Real Estate Division of the Public Works Department to deliver a certified copy of this Board Order with the Grant of Easement to EBMUD for acceptance and recording in the office of the County Clerk Recorder.

FISCAL IMPACT:

60% Federal Funds; 40% Local Road Funds.

BACKGROUND:

The purpose of this Project is to repair a 72" culvert and sinkhole beneath Pinehurst Road that was heavily damaged during the 2017 rainy season. The Project site is located on Pinehurst Road, approximately 2.5 miles northwest of Canyon Road at the first hairpin turn in unincorporated Orinda. The Project will return the road to satisfactory condition and ensure that storm drainage is conveyed through the culvert. Real Estate Division staff recommend approval of the Temporary Construction Easement and Agreement, Grant of Easement, and Encroachment Permit in the forms attached hereto.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not have sufficient property rights to complete the project.

ATTACHMENTS

Agreement

Encroachment Permit

Grant of Easement