



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: December 15, 2020

Subject: Amendment to License Agreement granting Contra Costa Water District access rights along Walnut Creek and Pacheco Creek levee roads, Martinez area.

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

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 on behalf of the District, the First Amendment to the License Agreement between the District and the Contra Costa Water District (CCWD) to extend the term through December 31, 2025, granting CCWD access rights to use a portion of the District's levee roads along Walnut Creek and Pacheco Creek, Martinez area. (Project No. 7520-6B8371)

### **FISCAL IMPACT:**

CCWD will pay the District an annual fee of \$3,660, which will be applied to the District's Zone 3B for the maintenance of the levee roads during the term of the agreement.

### **BACKGROUND:**

On December 7, 2010, the District entered into a License Agreement with CCWD to allow CCWD access to the Short Cut Pipeline, which CCWD operates and maintains for the United States Bureau of Reclamation. The District is granting a license, rather than permanent rights, because if either Walnut Creek or Pacheco Creek is reconfigured, the location of the access rights required by CCWD will change. The first amendment extends

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **12/15/2020** ☒ 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: December 15, 2020

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

By: Stacey M. Boyd, Deputy

Contact: Margaret Eychner,  
925.957-2463

the term of the existing license through December 31, 2025, and updates the insurance requirement to \$2,000,000.

CONSEQUENCE OF NEGATIVE ACTION:

If the first amendment is not approved, the license will terminate on December 6, 2020, and CCWD will not have the necessary access rights.

ATTACHMENTS

First Amendment License Agreement