



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: November 23, 2021

Subject: Approve Notice of Intention to assign property rights to the City of Antioch, Antioch area.

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**RECOMMENDATION(S):**

Acting as the governing body of the Contra Costa County Flood Control and Water Conservation District (District), APPROVE publication of a Notice of Intention ("NOI") to convey five Fee Parcels, and assign one Permanent Utility and Access Easement and two Permanent Access Easements, to the City of Antioch (City) for flood control purposes, in connection with the West Antioch Creek Project (Project) pursuant to Government Code Section 25365, Section 6.1 of the Contra Costa County Flood Control and Water Conservation District Act, and a cooperative agreement between the District and the City. (Project No. 7579-6D8399)[CP#15-05, SCH#2014042078]

DECLARE that this Board will meet on December 14, 2021, at 9 a.m. or thereafter, in the Board's Chambers, County Administration Building, 1025 Escobar Street, Martinez, California, to consummate the conveyance and assignments.

DIRECT the Real Estate Division of the Public Works Department to publish the attached NOI in the Contra Costa Times pursuant to Government Code Section 6061.

**FISCAL IMPACT:**

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/23/2021** ☒ 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: November 23, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Jewel Lopez, 925.  
957-2485

cc:

100% Drainage Area 55 funds.

### BACKGROUND:

On October 23, 2012, the District entered into a cooperative agreement (Agreement) with the City of Antioch to jointly improve the drainage between 10<sup>th</sup> Street and 200 feet downstream to the Burlington Northern Santa Fe railroad trestle in Antioch. As part of the Agreement, the District is responsible for acquiring the necessary property rights to construct the Project and, after completion, the City will accept ownership of those facilities and property rights.

The Project has been completed and in order for the City to accept ownership and maintain their facilities, it is necessary for the District to convey the fee parcels and assign said easement rights.

On March 10, 2015, this Board adopted the Mitigated Negative Declaration pertaining to the Project (CP#15-05, SCH# 2014042078).

### CONSEQUENCE OF NEGATIVE ACTION:

The District will not have fulfilled their responsibilities in the Agreement and the City will not have the necessary access rights to properly maintain and repair their facilities.

### ATTACHMENTS

Notice of Intention