



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: February 1, 2022

Subject: Convey a Grant of Easement to the City of Brentwood for City of Brentwood's Wastewater Treatment Plant Expansion Project, Brentwood area

**RECOMMENDATION(S):**

Acting as the governing body of the Contra Costa County Flood Control and Water Conservation District (District), APPROVE the conveyance of a Grant of Easement to the City of Brentwood (City) and AUTHORIZE the Chair, Board of Supervisors, to execute on behalf of the District, the Grant of Easement in connection with the City's Wastewater Treatment Plant Expansion Project (Project), pursuant to Government Code Section 25526.6 and FCD Act, Section 31. (Project No.: 7521-6D8325)[SCH# 98012058]

FIND that the conveyance of such easement is in the public interest and will not substantially conflict or interfere with the District's use of the property.

DIRECT the Real Estate Division of the Public Works Department to have the above-referenced Grant of Easement delivered to the City for acceptance and recording in the Office of the County Clerk-Recorder.

**FISCAL IMPACT:**

100% Flood Control Zone 1 funds.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **02/01/2022** ☒ 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: February 1, 2022

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

By: Stacey M. Boyd, Deputy

Contact: Jessica Dillingham,  
925.957.8453

## BACKGROUND:

On June 20, 2000, the District issued Flood Control Encroachment Permit #605-00 to the City to allow the City to expand their wastewater treatment plant located off of Sunset Road in Brentwood. The Project was necessary to accommodate the rapid development of the City's urban areas. The Project included the construction of a 36-inch treated effluent discharge line, manhole structure, landscaping, and other improvements (Improvements) within the District's Marsh Creek property.

Construction of the Improvements have been completed. This District wishes to grant an easement over the area where those Improvements have been constructed so that the City can have the necessary property rights to maintain and operate them.

As a condition of the Grant of Easement, the City is requiring the District to indemnify City from liabilities that arise from the District's sole negligence or sole willful misconduct of any of District Indemnatee while exercising any of the District's obligations.

On November 30, 2004, the County adopted the City's Environmental Impact Report for the Project for the purpose of conducting real property transactions in compliance with the California Environmental Quality Act.

## CONSEQUENCE OF NEGATIVE ACTION:

The City of Brentwood will not have the necessary property rights to operate their wastewater treatment facility.

## ATTACHMENTS

Grant of Easement