



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: April 12, 2022

Subject: Approve and Accept a grant of access easement from the City of Brentwood for ingress and egress purposes.

RECOMMENDATION(S):

Acting as the governing body of the Contra Costa County Flood Control and Water Conservation District, APPROVE and AUTHORIZE the Chief Engineer to accept, on behalf of the District, a grant of access easement from the City of Brentwood for ingress and egress purposes across City-owned property adjacent to Marsh Creek, commonly identified as Assessor's Parcel Nos. 017-670-039, 017-670-040, 017-690-092, 017-690-093, 017-680-077, 017-210-029, and 017-201-038, as described and shown on Exhibits "A, A-1, A-2, and A-3" and "B, B-1, B-2, and B-3" of the Grant of Access Easement, in the Brentwood area, pursuant to Section 31 of the Contra Costa County Flood Control and Water Conservation District Act. (Project No. 7562-6D8490)(SCH #2016082008)

DIRECT the Real Estate Division to have the above-referenced Grant of Access Easement and a certified copy of this Board Order to be recorded in the office of the County Clerk-Recorder.

FISCAL IMPACT:

No fiscal impact.

☒ APPROVE ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/12/2022** ☒ 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: April 12, 2022

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

By: Stacey M. Boyd, Deputy

Contact: Jewel Lopez, 925.
957-2485

BACKGROUND:

On July 12, 2016, this Board approved a grant agreement by and among the District, California Department of Water Resources, and American Rivers, Inc. (American Rivers), to fund the Three Creeks Restoration Project (Project). The Project is a joint effort by the District and the District's project partner, American Rivers. On September 27, 2016, this Board adopted the Mitigated Negative Declaration SCH#2017082008 and later approved the Project on March 27, 2018.

The grant of access easement from the City of Brentwood is required for the Project, in accordance with the approved plans and specifications. As a condition of the grant of access easement, the City will require the District to indemnify the City from liability that arises from the District's use of the property. The City also will require the District to be liable for repairing, or reimbursing the City for the cost of repairing, any City improvements within the easement area. District staff recommend that the Board approve the acceptance of the easement on those terms.

CONSEQUENCE OF NEGATIVE ACTION:

The District will not have adequate access for its Project.

ATTACHMENTS

Grant of Access Easement