



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: October 18, 2022

Subject: APPROVE Notice of Intention to assign a storm drain easement to the City of Oakley. (CP# 20-14) Project No. WL83PV FS20-00206.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to cause the attached Notice of Intention (“NOI”) to assign a storm drain easement to the City of Oakley to be published in the East Bay Times, pursuant to Government Code Sections 6061 and 25365.

DECLARE that this Board will meet on November 1, 2022, at 9:00 a.m. or thereafter, in the Board’s Chambers, County Administration Building 1025 Escobar Street, Martinez, California, to consummate the conveyance.

DIRECT the Real Estate Division of the Public Works Department to publish the attached NOI in a newspaper published in the County pursuant to Government Code Section 6061.

FISCAL IMPACT:

100% Developer Funds (FS20-00206)

BACKGROUND:

In 1993, the County was granted a 14,364 square foot easement for storm drain purposes (document 19124 OR 158 ((93-310924)) from a private property owner along a portion of

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **10/18/2022** ☒ 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: October 18, 2022

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

Contact: Olivia D.
Reynolds-Freeman, 925-957-2462

By: June McHuen, Deputy

cc:

APN 041-100-004 in the City of Oakley (City). Since the original granting of the easement the property

BACKGROUND: (CONT'D)

has been subdivided and developed and the easement now runs along the easterly property line of APN 041-100-035 from Oakley Road to Thomas Drive in Oakley. The easement should have been assigned to the City in 1999 upon its incorporation but was overlooked. The City assumed maintenance responsibility of the storm drain line in 2006 upon signing a Drainage Fee Collection, Right of Way, and Maintenance Agreement with the Flood Control District. The City accepted all offers of dedication, including the storm drain easement as part of the Final Map for Subdivision 9507, The Vines at Oakley in September 2021. Therefore, there is a duplicate easement upon an already existing easement. The County does not require the easement any longer.

CONSEQUENCE OF NEGATIVE ACTION:

The County will maintain an interest in an easement that is no longer necessary to them, nor the Flood Control District and they have not been required to maintain since 2006.

ATTACHMENTS

Notice of Intention