



**Contra
Costa
County**

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

Subject: APPROVE the Assignment of a Storm Drain Easement to the City of Oakley in connection with Subdivision 9507, The Vines at Oakley.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Chair, Board of Supervisors, to execute, on behalf of the County, an assignment of easement assigning a storm drain easement over a portion of Assessor's Parcel Number (APN) 041-100-035 to the City of Oakley (City) in connection with Subdivision 9507, The Vines at Oakley, pursuant to Government Code Section 25365. (Project No. WL83PV FS20-00206) [CP# 20-14]

DETERMINE that the storm drain easement is no longer required for County purposes.

DETERMINE that this activity is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines, Section 15061(b)(3), because it can be seen with certainty that this activity will not have a significant effect on the environment.

DIRECT the Director of the Department of Conservation and Development (DCD), or designee, to file a Notice of Exemption with the County Clerk.

DIRECT the Public Works Director, or designee, to arrange for payment of the \$50 fee to the County Clerk for filing and a \$25 fee to DCD for processing of the Notice of Exemption.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **11/01/2022** ☒ 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: November 1, 2022

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

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

By: Stacey M. Boyd, Deputy

cc:

RECOMMENDATION(S): (CONT'D)

DIRECT the Real Estate Division of the Public Works Department to deliver a copy of this Board Order with the executed Assignment of Easement to the City for acceptance and recording in the Office of the County Clerk-Recorder.

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 APN 041-100-004 in the City. Since the original granting of the easement, the property 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. Assigning the easement to the City will remove the County's interest from the easement area. This conveyance is intended to remove this encumbrance and the County's interest in the easement area with no changes in the use of the property.

The Notice of Intention to assign the storm drain easement to the City was published in the East Bay Times at least one week prior to this Board meeting, as required by Government Code Section 6061 and 25365.

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 the City has been maintaining it since 2006.

ATTACHMENTS

Assignment of Easement

Exhibit A - Legal and Plat

CEQA NOE