

County Administrator

County Administration Building
1025 Escobar Street, 4th Floor
Martinez, California 94553-1229
(925) 655-2075

Monica Nino
County Administrator

Contra Costa County



Board of Supervisors

John M. Gioia
1st District

Candace Andersen
2nd District

Diane Burgis
3rd District

Ken Carlson
4th District

Federal D. Glover
5th District

July 18, 2023

By US Mail and Email
brentwoodveteransbuilding@gmail.com

Board of Directors
Veterans Memorial Building
c/o 161 Chestnut Street #20
Brentwood, CA 94513

Dear Brentwood Veterans Memorial Building Board,

This letter is intended to help facilitate communications between your Board, Contra Costa County, and the Contra Costa County Fire Protection District (ConFire) regarding the proposed lot line adjustment at 757 First Street in Brentwood. As Contra Costa's Chief Assistant County Administrator and a fellow veteran, I assure you that the County wants a solution where the land serves both of its original designated purposes: providing a community space for our veterans and increasing fire and emergency protection to all residents. Hopefully, the information in this letter will help clarify the roles and responsibilities of the County and ConFire in this situation so we can have a fruitful discussion and partnership moving forward.

The County originally purchased the block of land on which both the Veterans Memorial Building and the fire station sit in May of 1923. The Board of Supervisors' action clearly indicates that the land was for the construction of a "building or memorial hall or meeting place" and "for all or any other purposes, for which same may be lawfully used." Ultimately the County did develop two uses on the property, the Veterans Memorial Building and the fire station.

The County has remained the owner of the parcel of land on which the now two veterans buildings sit and has, and will continue, to provide and maintain those structures for the use of the various veterans groups that meet there and compose the Brentwood Veterans Memorial Building Board. The County considers the veterans groups and non-veterans groups that use the space to be an indispensable part of the community who must continue to have a home at 757 First Street. The County leases the property to the Board for a nominal fee of \$1 annually and intends to continue doing so.

Ownership of the parcel on which the fire station sits is now with ConFire, which obtained the land when it merged with the former East Contra Costa Fire Protection District. ConFire is a special district and, as such, is a separate entity from the County, although the same elected officials oversee both. I mention the distinction to inform later discussion of which entity might be responsible for any agreed upon mitigations for impacts caused by the proposed lot line adjustment.

ConFire determined that the existing station was not suitable for its operations as it would not accommodate the modern fire apparatus ConFire proposed demolishing the existing station and building a new station that meets its operational criteria. The Board of Supervisors supported reopening a fire station in this location, acting in its capacity both as the ConFire Board of Directors and the County Board of Supervisors.

To support the building of the new station, ConFire has asked the County to adjust the property lines to allow the building of a new station. Exhibit A shows a survey of the proposed lot line changes. The highlighted areas show the area that would be added. As you can see from this exhibit, the County would relinquish land on both sides of the current parcel, not just from the parcel on which the Veterans Building sits. The Veterans Building currently sits on a parcel of 17,854 square feet. After the proposed lot line adjustment, the parcel would be 16,642 square feet according to the surveyor's calculations, a loss of 1,212 square feet or approximately 6.8% of the current lot area. On the other side of the station, the County would also be giving ConFire an additional 2,256 square feet of County land, nearly double what the ask is for the County parcel on which the Veterans buildings sit.

The proposed lot line adjustment appears to have three impacts on the current use of the land around the Veterans buildings. The proposal does not affect or alter the buildings and would not preclude using either legally constructed buildings. The three impacts which have been mentioned by the veterans groups verbally and in writing are the handicapped access ramp on the First Street side of the property, the location of the storage containers, and the use of the unimproved parking area on the Diablo Way side of the property.

The first impact to the access ramp has a relatively straightforward solution. To the extent that any or all of the access ramp would be located on ConFire property under the proposal, ConFire has agreed to grant an access easement to the County and not physically modify the ramp itself. The access easement would allow anyone coming to the buildings to use the ramp. If the proposed adjustments are ultimately approved by the Board of Supervisors, the easement would be recorded on the new property deeds and descriptions and filed with the Clerk Recorder. The access easement would be a legal right to cross the property, and there would be no impact on the use of the existing ramp.

The impact to the storage containers is a subject that would benefit from an additional conversation between the County and the Veterans Board. Storage containers are not generally allowed on property in Contra Costa County, and the storage containers here do not appear to be a use allowed under the lease with the County. Additionally, structures over 200 square feet usually require a building permit to be placed on a lot. These containers appear to be approximately 40 feet

long and at least 8 feet wide, so they are more than 200 square feet. I would prefer to talk with the Veterans Board about your storage needs and find an appropriate and legal solution.

The final impact I'm aware of is to the off-street, unimproved parking area off Diablo Way. I've seen this referred to as an area where disabled visitors park. In its current condition, that area does not meet the requirements for it to be counted or designated as handicapped parking. At a minimum, it would need to have a hard surface of some kind, as a loose surface is not permitted for accessible spaces. One potential solution would be to pave the remaining area and dimension and stripe either handicap-accessible or regular parking spaces. Again, if some agreement to treatment of that area is agreed to, the County, as the property owner and lessor, would be responsible for the improvement.

I have also seen references to California Military and Veterans Code Section 1266 in some communications. That section says in part, when a county has provided and maintained any building for the benefit of one or more veterans groups and when those groups have accepted the use of the building, the provision of that building constitutes a "dedication of that property to a public purpose," and the County may not revoke the dedication unless the County dedicates a substitute facility to the veterans groups, or unless the veterans groups have either consented to the revocation or have abandoned the use of the facilities. Here, the proposed lot line adjustment is not a revocation by the County of the use of the buildings for veterans' purposes, and the consent of your Board to the lot line adjustment is therefore not required. The term dedication in this section does not confer any kind of ownership to the veterans groups using the buildings or property. The County continues to provide and maintain two buildings for the use of veterans organizations and will continue to do so now and in the future. In fact, the County is preparing to make approximately \$200,000 of repairs and improvements to this specific building and approximately \$1,500,000 of improvements to veterans buildings and memorial halls countywide.

One of my roles with the County is Capital Projects and Planning, and I have been asked to work with your Veterans Board to see what building or property improvements the County might consider to lessen the impacts of the proposed lot line adjustment on your use of the property. To be clear, anything we discuss as improvements will have to go to the full Board of Supervisors for approval of the scope of work and the funds to carry out any improvements proposed. That said, if we can agree on a mutually agreed upon scope of work, I think there is a strong chance the Board would approve such an agreement.

I've included the station site plan I received from ConFire in case you have not received it. This is the only plan I've received, and it is my understanding from ConFire that they have not yet finalized their design and do not plan to break ground before the start of 2024. Fuller architectural drawings, when they are prepared, and ConFire's overall bidding and construction timeline will need to come from their agency. Deputy Chief Aaron McAlister will continue to be your point of contact related to the fire station and he can be reached at 925-941-3300 X1101 or amcal@cccfd.org.

I understand your concerns regarding the proposed lot line adjustment. The County is trying to balance the needs of two important functions, providing firefighting and emergency services and providing and maintaining spaces for veterans groups to meet and associate. I also understand your Board represents at least four veteran groups and other non-veteran property users. There may not be a unanimous opinion on the proposed lot line adjustments, how to respond, or even what might be needed to lessen the impact of the proposed changes.

To the extent the Board or its designated representatives want to discuss improvements the County would consider to help address the impacts of the proposal, I am the County representative for those matters. ConFire will continue to be the source of information about the fire station design and schedule.

I hope to hear from you soon.

Sincerely,

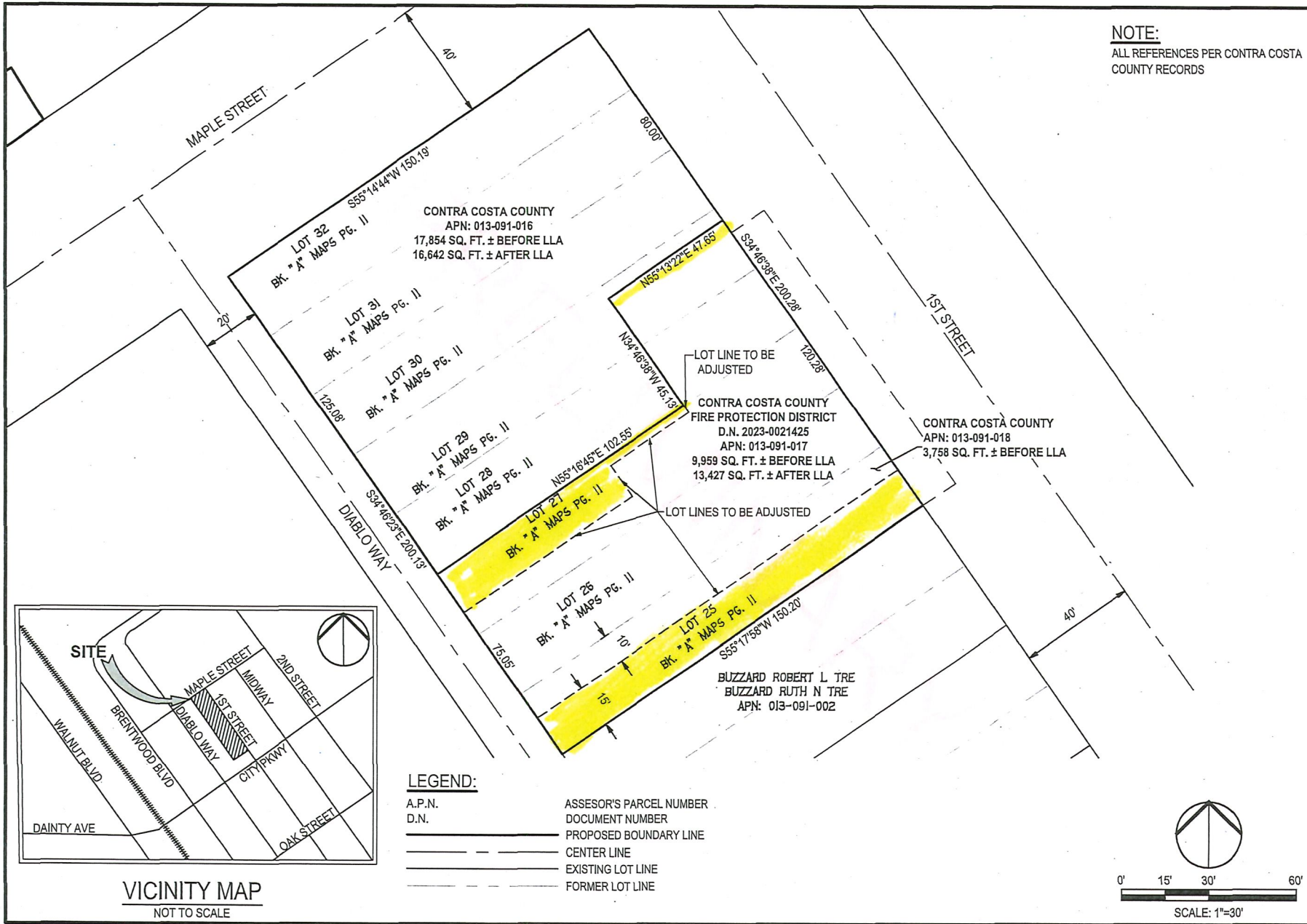


Eric Angstadt
Chief Assistant County Administrator
Contra Costa County
(925) 655-2042
eric.angstadt@cao.cccounty.us

Enclosures: vicinity map; site plan

cc: Diane Burgis, Supervisor, District 3
Monica Nino, County Administrator
Lewis Broschard, Chief, Contra Costa Fire Protection District

F:\23PROJECTS\23071 CONTRA COSTA COUNTY FIRE STATION 94\WORKING DOCUMENTS\SURVEY OFFICE\LLA\23071-SITEPLAN.DWG



SIEGFRIED

100 Sycamore Avenue
Suite 100
Modesto, California 95354
209-762-3580
Fax: 209-942-0214
www.siegfriedeng.com

- CIVIL
- STRUCTURAL
- LANDSCAPE ARCHITECTURE
- SURVEYING
- PLANNING
- ATHLETIC FACILITY DESIGN
- GEOTECHNICAL

REVISIONS
No. Date Description

PROJECT

CONTRA COSTA COUNTY FIRE STATION 94

739 1ST STREET, BRENTWOOD, CA

SHEET TITLE

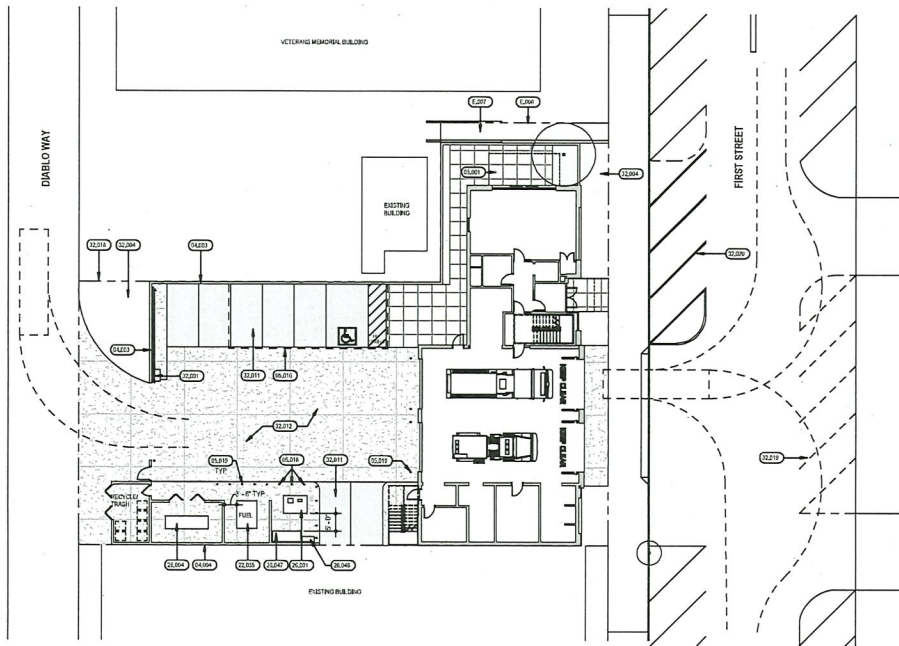
LLA-SITE PLAN EXHIBIT

Proj Mgr KJG
Drawn by SRS
Date 6/21/2023
Job No. 23071
SHEET: 1

Exhibit A

16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

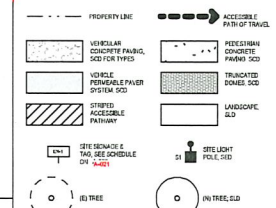
M
L
K
J
H
G
F
E
D
C
B
A



KEYNOTES

- 04.003 CMU SITE WALL
- 04.004 CMU GENERATOR ENCLOSURE WALL
- 05.001 STEEL CANOPY
- 05.016 PV COVERED PARKING CANOPY & STRUCTURE, W/PPV PANELS
- 05.018 STEEL BOLLARD, EXTENSION REMOVABLE BOLLARD
- 05.019 STEEL BOLLARD, EXTENSION NON-REMOVABLE BOLLARD
- 22.005 FUEL TANK
- 26.001 POLE TRANSFORMER
- 26.004 GENERATOR, SED
- 26.046 GENERATOR CONNECTION PANEL, SED
- 26.047 MAIN SWITCH BOARD, SED
- 33.001 VEHICULAR SLIDING GATE
- 33.004 DECONTAMINATION AREA
- 33.011 VEHICLE PARKING PERMEABLE PAVEMENT SYSTEM
- 33.012 VEHICULAR CONCRETE PAVING
- 33.018 (E) PROPERTY LINE
- 33.019 PARKING STRIP TO BE REMOVED (SHOW DASH ED)
- 33.020 PARKING SPACE TO BE RECONFIGURED (SHOW WITH DOUBLE LINES)
- E.007 (E) RAIP
- E.008 (E) PROPERTY LINE

LEGEND



SITE PLAN
RE: A4/A-201
1/16" = 1'-0"

16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1



CONTRA COSTA COUNTY
FIRE PROTECTION DISTRICT
4005 PORT CHICAGO HWY,
CONCORD, CA 94520

NOTE: If this drawing is not 22"x34" it has been reduced from its original size and the smaller noted on drawings shall also no longer apply.

Revision Number	DATE	SCALE DESCRIPTION

Project:
Contra Costa County Fire Protection District Brentwood Fire Station 94
739 1ST STREET, BRENTWOOD, CA, 94513

Architect of Record
SHAH KAWASAKI ARCHITECTS
570 10th Street, Suite 201
Oakland, CA 94607

Drawing Title
SITE PLAN

Drawing No.
A-101

Shk Project Number: 27103