

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT RENEWING THE HUMBOLDT COUNTY PUBLIC WORKS DIRECTOR'S AUTHORITY TO ACQUIRE INTEREST IN REAL PROPERTY PURSUANT TO SECTIONS 246-4 THROUGH 246-7 OF TITLE II OF THE HUMBOLDT COUNTY CODE

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. The Humboldt County Public Works Director's authority regarding acquisition of interest in real property as set forth in Sections 246-4 through 246-7 of Chapter 6 of Division 4 of Title II of the Humboldt County Code is hereby renewed and shall expire (5) years from the effective date of this ordinance.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its passage. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2023

AYES: Supervisors—
NOES: Supervisors—
ABSENT: Supervisors—

Chair of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors
County of Humboldt

CHAPTER 6
THE DEPARTMENT OF PUBLIC WORKS AND THE OFFICE OF THE DIRECTOR
OF PUBLIC WORKS OF HUMBOLDT COUNTY

246-4.

Purchase of Real Property Less than \$50,000.

(a) Pursuant to the provisions of Government Code § [25350.60](#) and subject to the procedures specified in this Section, the Public Works Director is hereby authorized to perform all acts necessary to approve and accept for the County the acquisition of any interest in real property where the purchase price for such interest does not exceed fifty thousand dollars (\$50,000). (Ord. 2378, § 1, 1/2/2007; renewed by Ord. 2504, § 1, 7/9/2013; renewed by Ord. 261, §1, 09/11/2018; renewed by Ord. § __, __/__/2023)

(b) The Public Works Director may approve and accept the acquisition of any interest in real property only if funds have been appropriated by the Board of Supervisors for the acquisition and such acquisition (1) is in furtherance of a project which the Board of Supervisors has previously determined to undertake or (2) is in furtherance of a project undertaken by the Director of Public Works. (Ord. 2378, § 1, 1/2/2007; renewed by Ord. 2504, § 1, 7/9/2013; renewed by Ord. 261, §1, 09/11/2018; renewed by Ord. § __, __/__/2023)

(c) In acting pursuant to this section, the Public Works Director shall comply with all applicable laws pertaining to the acquisition of the property as otherwise apply to board action, including but not limited to: notice to the property owner(s), determination of fair market value or appraisal of the subject real property, offer to purchase, recordation of deed(s), submittal to appropriate planning agency in accordance with Government Code § [65402](#) and environmental assessment and review pursuant to NEPA or CEQA, as may be appropriate. (Ord. 2378, § 1, 1/2/2007; renewed by Ord. 2504, § 1, 7/9/2013; renewed by Ord. 261, §1, 09/11/2018; renewed by Ord. § __, __/__/2023)

(d) Upon acceptance of any deed or grant the Public Works Director shall promptly execute a certificate of acceptance substantially in the form specified in Government Code § [27281](#) and shall transmit same to the County Recorder for recording. (Ord. 2378, § 1, 1/2/2007; renewed by Ord. 2504, § 1, 7/9/2013; renewed by Ord. 261, §1, 09/11/2018; renewed by Ord. § __, __/__/2023)

(e) Nothing in this grant of authority shall divest the board of supervisors of its authority to acquire interests in real property. (Ord. 2378, § 1, 1/2/2007; renewed by Ord. 2504, § 1, 7/9/2013; renewed by Ord. 261, §1, 09/11/2018; renewed by Ord. § __, __/__/2023)

246-5.

Acquisition of Interest in Real Property as Condition of Development/Land Use Project(s) or Building Permit(s).

(a) Where the interest in real property is conveyed to the County of Humboldt in conjunction with approval of a development or land use project or the issuance of a building permit the Public Works Director is authorized to accept the grant deed(s) or easement deed(s) on behalf of the County of Humboldt without compliance with the provisions of Section [246-4](#). Interests in real property include, but are not limited to, deeds for road right-of-way, public utility, drainage and/or aviation easements. (Ord. 2378, § 1, 1/2/2007; renewed by Ord. 2504, § 1, 7/9/2013; renewed by Ord. 261, §1, 09/11/2018; renewed by Ord. § __, __/__/2023)

(b) Upon acceptance of any deed or grant the Public Works Director shall promptly execute a certificate of acceptance substantially in the form specified in Government Code § [27281](#) and shall transmit same to the County Recorder for recording. (Ord. 2378, § 1, 1/2/2007; renewed by Ord. 2504, § 1, 7/9/2013; renewed by Ord. 261, §1, 09/11/2018; renewed by Ord. § __, __/__/2023)

246-6.

Delegation to Subordinates.

The Public Works director may delegate the authority granted by sections [246-4](#) and [246-5](#) to appropriate department of public works staff under the director's direction and control. Thereafter, or until revoked, such subordinate may exercise any and all authority delegated by the board of supervisors to the director in these sections. (Ord. 2378, § 1, 1/2/2007; renewed by Ord. 2504, § 1, 7/9/2013; renewed by Ord. 261, §1, 09/11/2018; renewed by Ord. § __, __/__/2023)

246-7.

Five (5) Year Limitation on Authority.

The authority granted to the Public Works Director in sections [246-4](#) and [246-5](#) shall not be effective for more than five (5) years from the date of adoption of this ordinance. Any renewal of authority shall expire five (5) years from the effective date of the ordinance granting such renewal. (Ord. 2378, § 1, 1/2/2007; renewed by Ord. 2504, § 1, 7/9/2013; renewed by Ord. 261, §1, 09/11/2018; renewed by Ord. § __, __/__/2023)

