



# COUNTY OF HUMBOLDT

For the meeting of: 3/19/2019

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File #: 19-230

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**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Consent

**SUBJECT:**

Right of Way Contract (Temporary Construction Easement) - State Highway 101 (4<sup>th</sup> Street) Improvement Project - 839 4<sup>th</sup> Street, Eureka

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve the Right of Way Contract for a Temporary Construction Easement (TCE) to perform curb and driveway improvements along the entrance to 839 4<sup>th</sup> Street;
2. Authorize the Chair of the Board to sign two originals of the TCE;
3. Authorize the Public Works Director to execute a quitclaim document for the TCE after completion of the California Department of Transportation (Caltrans) project; and
4. Direct the Clerk of the Board to return one executed original of the TCE to Public Works - Real Property - for transmittal to the Caltrans.

**SOURCE OF FUNDING:**

California Department of Transportation (Caltrans)

**DISCUSSION:**

Caltrans has a project to improve the safety and operation of State Route 101 (4<sup>th</sup> Street), by constructing Accessibility Disability Act (ADA) regulation intersections from Y Street through Commercial Street. Work will consist of installing bulb outs at cross street intersections, and modification of curbs and driveways to meet the grade requirements of ADA. All construction work will be within the 4<sup>th</sup> Street Right of Way of Caltrans.

The driveway at 839 4<sup>th</sup> Street is within the Caltrans Right of Way and requires replacement. It is used by our County Administrative Office - Information Technology team (IT) for vehicular ingress to their parking lot. The driveway is approximately 12 feet deep and is sloped from the street to the property line. This slope of the driveway is not in compliance with ADA regulations for sidewalk purposes. A wheel chair occupant, for example, cannot safely maneuver across the sloped driveway. To remedy this situation, the existing driveway will be replaced with a new driveway / sidewalk, consisting of the first 6 feet from the street being sloped, followed by the remaining 6 feet to the property line being flat.

The new flat area will therefore meet the sidewalk grade requirements of ADA (Attachment 3 - Sketch).

Caltrans is requesting the county to execute a TCE consisting of a 9-foot by 35-foot strip of land behind the sidewalk, the location of which is shown in Attachment 1 - Right of Way Appraisal Map. Caltrans will need this strip to allow workers to safely remove the old driveway and install the new driveway / sidewalk while staying outside of the traveled way. Consideration from Caltrans to use this strip will be \$2,400 made payable to the county as described in Attachment 2 - Valuation Summary Statement.

A review with IT indicates no issues with the project and the TCE. Ingress to the parking lot at this location will be temporarily diverted to the alley on the other side of the parking lot. Construction is planned for the Spring of 2019 and will take approximately 1 week to accomplish. Notification will be made to IT prior to commencement of work. After completion, the county will request Caltrans to quitclaim the TCE so as to prevent further Caltrans use after construction.

FINANCIAL IMPACT:

The county will receive revenue in the amount of \$2,400 after execution of the TCE.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by creating opportunities for improved safety and health .

OTHER AGENCY INVOLVEMENT:

Public Works

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to approve the TCE, however this is not recommended. Not approving the TCE will prevent Caltrans from improving the driveway and will therefore delay their project and force Eminent Domain process to begin, thus creating negative publicity for the county.

ATTACHMENTS:

Right of Way Contract  
Attachment 1 - Right of Way Appraisal Map  
Attachment 2 - Valuation Summary Statement  
Attachment 3 - Sketch

PREVIOUS ACTION/REFERRAL:

Board Order No. N/A  
Meeting of: N/A  
File No.: N/A