



# COUNTY OF HUMBOLDT

For the meeting of: 2/15/2022

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File #: 22-88

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**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Consent

**SUBJECT:**

License Agreement with Judith L. Dixon for the Russ Rock Quarry and Stockpile Site, APN 313-132-001, on Snow Camp Road (7J010)

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Authorize the Chair of the Board to sign, in duplicate, the license agreement between the County of Humboldt and Judith L. Dixon (Attachment 1); and
2. Direct the Clerk of the Board to return both executed license agreements to the Department of Public Works Land Use Division for further processing.

**SOURCE OF FUNDING:**

Road Fund (1200)

**DISCUSSION:**

Although the current license agreement for this site does not expire until June 30, 2026, (Attachment 2) a change of ownership has occurred. Judith L. Dixon is now the sole owner of APN 313-132-001. Mrs. Dixon contacted the county and requested a new agreement be created with the new ownership. The previous license agreement was between the county and Judy L. Dixon and James T. Russ, as Co-Trustees of the Patricia R. Davis Trust, as tenants in common; Stanley L. Dixon and Judith L. Dixon, husband and wife as community property; and James T. Russ and Katie C. Russ, husband and wife as community property.

The new license agreement is with Judith L. Dixon and continues the use of a portion of her property, APN 313-132-001, on Snow Camp Road in the Korbel area, for the purposes of a surface mining operation, for stockpiling aggregate material for road maintenance and repair projects, and for temporary equipment storage appurtenant to surface mining activities, stockpiling activities, and maintenance and repair projects of county roads in the general area.

The new license agreement (Attachment 1) shall commence upon the date of execution and shall terminate on Dec. 31, 2022, and shall renew automatically for successive one (1) year terms not to

exceed fourteen (14) automatic renewal terms, unless either party provides written notice of termination. The county shall have 60 days beyond this agreement's termination date to remove equipment and stockpiled aggregate material from the site.

This license agreement is consistent with similar agreements given that the standard rental rate of \$50 per month shall be paid in advance on an annual basis at the sum of \$600 per year. The license agreement stipulates that annual site payments shall be made payable prior to July 1 of each fiscal year. The county shall pay to the owner, a royalty rate of \$1.25 per cubic yard for mined material, which is consistent with royalty rates at other similar sites rented by the county.

The license agreement requires the county to remain in compliance with all applicable laws, regulations, and permit conditions at all times. Furthermore, the license agreement allows for the extraction of up to 30,000 cubic yards of rock over the life of the agreement (15 years). Mining may consist of an extraction of a maximum of 25,000 cubic yards per fiscal year or smaller extractions as frequently as once every 3-7 years, but the total shall not exceed 30,000 cubic yards over 15 years.

FINANCIAL IMPACT:

The new license agreement provides for royalty payments when surface mining occurs as well as annual site rental payments to Judith L. Dixon. The Roads Maintenance budget, 1200325, shall bear the cost of all payments.

The annual rental payment will be \$600. The new license agreement increases the royalty payment from \$1.00 per cubic yard to \$1.25 per cubic yard, bringing it in conformance with current license agreement rates. The maximum royalty payment for one year is estimated to be approximately \$31,250 but will not exceed \$37,500 in a 15-year period. There is no impact to the General Fund.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by providing for and maintaining infrastructure .

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to execute a new license agreement. The Department of Public Works recommends executing the new license agreement because of the county's need for aggregate resource sites located throughout the county's road system. By executing this new license agreement, the continued utilization of this aggregate source shall offset expenses associated with importing necessary road construction materials from distant locations.

ATTACHMENTS:

Attachment 1 - 2022 Russ Quarry Borrow Site Agreement (in duplicate)  
Attachment 2 - 2011 Russ Quarry Snow Camp Road Agreement

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**PREVIOUS ACTION/REFERRAL:**

Board Order No.: C-18

Meeting of: June 7, 2011

File No.: N/A