



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 19-157 **Version:** 1 **Name:**
Type: Informational Report **Status:** Passed
File created: 1/25/2019 **In control:** Public Works
On agenda: 3/5/2019 **Final action:** 3/5/2019
Title: Resolution Designating a Private Road in the Panther Gap Area of Humboldt County as an Emergency Detour Road for Temporary Public Use and Authorizing Execution of Emergency Detour Road Agreements with Several Adjacent Property Owners (4/5 Vote Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Resolution 19-18, 3. Attachment 2 - Van Lanen Agreement, 4. Attachment 3 - Wills Agreement, 5. Attachment 4 - Mandelov Agreement, 6. Attachment 5- NOE - Categorical Exemption

Date	Ver.	Action By	Action	Result
3/5/2019	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Resolution Designating a Private Road in the Panther Gap Area of Humboldt County as an Emergency Detour Road for Temporary Public Use and Authorizing Execution of Emergency Detour Road Agreements with Several Adjacent Property Owners (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt the attached resolution designating a private road in the Panther Gap area of Humboldt County as an emergency detour road for temporary public use and authorizing the Humboldt County Public Works Director to execute the attached emergency detour road agreements with Chad Van Lanen, Julie Wills and Gueorgui Mandelov and any and all necessary extensions thereof (4/5 vote required).

SOURCE OF FUNDING:

Road Fund 1200321

DISCUSSION:

On Jan. 19, 2019, Panther Gap Road (County Road No. 4D010) completely slid out and became unusable as a public road by the traveling public. The only alternative for ingress and egress to Panther Gap Road residents was to request permission from several property owners near the slide site

to temporarily designate their private road as an emergency detour road for the traveling public. Once Panther Gap Road is repaired and can once again be used as a public thoroughfare, the attached emergency detour road agreements will be terminated.

The attached emergency detour road agreements require the County of Humboldt to repair and routinely remove trash and refuse from the emergency detour road throughout the term thereof. The attached emergency detour road agreements also require the County of Humboldt to surrender the emergency detour road in the same condition or better that it was in immediately before being accepted for temporary use by the public.

The attached emergency detour road agreements are considered a project under the California Environmental Quality Act (CEQA). This project is categorically exempt from environmental review pursuant to Section 15301, Existing Facilities and Section 15304 - Minor Alterations to Land of the CEQA Guidelines, and the application of this categorical exemption is not barred by any of the exceptions set forth in Section 15300.2 of the CEQA Guidelines. A Notice of CEQA Exemption is attached hereto as Attachment 5.

FINANCIAL IMPACT:

Pursuant to the terms and conditions of the attached emergency detour road agreements, the County of Humboldt will pay a monthly rental fee of \$500 to each owner for the use of the private property in question, a total of \$1,500 per month for the duration of use of the properties. The County of Humboldt is also be responsible for paying up to \$600 to each owner in order to cover reasonable attorney fees associated with the review and execution of the initial emergency detour road agreements. The total for this one-time payment will not exceed of \$1,800. Finally, the County of Humboldt will be required to pay any and all costs associated with the maintenance and repairs of the emergency detour road while it is open to the public and any restoration work needed to restore the site at the conclusion of the agreement. This cost is unknown at this time but will be covered by the road fund and reimbursement from Federal and State sources will be sought.

Public Works will be applying to the Federal Emergency Management Agency (FEMA) and California Governor's Office of Emergency Services (Cal OES) for funding. All the costs will be borne by the Road Fund.

STRATEGIC FRAMEWORK:

The recommended action supports the Board of Supervisors' Strategic Framework by providing for and maintaining infrastructure.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to adopt the attached resolution designating a private road in the Panther Gap area of Humboldt County as an emergency detour road for temporary public use and authorizing the Humboldt County Public Works Director to execute the attached emergency detour road agreements with Chad Van Lanen, Julie Wills and Gueorgui Mandelov and any and all necessary

extensions thereof. However, this alternative is not recommended since it will not allow the residents along Panther Gap Road to safely access their homes and property until Panther Gap Road is repaired.

ATTACHMENTS:

1. Resolution Designating a Private Road in the Panther Gap Area of Humboldt County as an Emergency Detour Road for Temporary Public Use and Authorizing Execution of Emergency Detour Road Agreements with Several Adjacent Property Owners
2. Emergency Detour Road Agreement with Chad Van Lanen
3. Emergency Detour Road Agreement with Julie Wills
4. Emergency Detour Road Agreement with Gueorgui Mandelov
5. Notice of CEQA Exemption

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A