



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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File created: 3/23/2021 **In control:** Public Works
On agenda: 4/20/2021 **Final action:** 4/20/2021
Title: Resolution Rescinding Resolution No. 97-31 and Adopting a Procedure for Correction of Damaged or Defective Sidewalk

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment 1 - Proposed resolution for sidewalk repair, 3. Attachment 2 - Dept Policy for the Preservation of Street Trees, 4. Attachment 3 - Resolution 97-31, 5. Attachment 4-Sample Forms.pdf, 6. Resolution 21-39.pdf

Date	Ver.	Action By	Action	Result
4/20/2021	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Resolution Rescinding Resolution No. 97-31 and Adopting a Procedure for Correction of Damaged or Defective Sidewalk

RECOMMENDATION(S):

That the Board of Supervisors:

1. Rescind Resolution 97-31 Adopting the Procedure for Sidewalk Repair Pursuant to Streets and Highways Code Sections 5600-5630; and
2. Adopt the attached resolution Establishing a Procedure for the Correction of Damaged or Defective Sidewalks.

SOURCE OF FUNDING:

Roads Fund (1200)

DISCUSSION:

The Board adopted Resolution No. 97-31 on March 4, 1997 for the repair of damaged sidewalks on county-maintained roads. The procedures and information included in Exhibit 1 to the resolution have become out of date with regard to timelines, cost estimates, specifications, and similar details. The proposed resolution streamlines the essential information that closely follows the procedures of the

relevant Streets and Highways Code sections. Updated forms have been prepared, reviewed, and approved by County Counsel. Because forms change over time, they are no longer included in the resolution. Sample forms are included in Attachment 4.

FINANCIAL IMPACT:

There is no financial impact to the General Fund.

In order to encourage the repair of sidewalks, the department has previously waived the fee for an Encroachment Permit to repair damaged sidewalk. As a result, the Road Fund will continue to absorb these costs. The annual cost to the Road Fund is based upon the total number of no-cost Encroachment Permits issued each year.

Costs for non-voluntary repair of damaged sidewalk will be recovered from a special assessment against that parcel and shall be a lien on the property included on the property owner's next tax bill.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents, and providing for and maintaining infrastructure.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Direct the department to continue using Resolution 97-31 to address damaged sidewalks. Due to outdated information, the department does not recommend this option as it creates unnecessary confusion for the public.

ATTACHMENTS:

- Attachment 1 - Proposed resolution providing a procedure for the correction of damaged or defective sidewalks.
- Attachment 2 - Department Policy for the Preservation of Street Trees
- Attachment 3 - Resolution No. 97-31
- Attachment 4 - Sample forms

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A
Meeting of: 3/4/1997
File No.: N/A