



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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File created: 11/18/2020 **In control:** Public Works
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Title: Adoption of Relocation Assistance Policy for County Property Acquisition

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment 2 - County Relocation Assistance Policy, 3. Attachment 3 - Disability Rights California Letter, 4. Public Comment C27.pdf

Date	Ver.	Action By	Action	Result
12/8/2020	1	Board of Supervisors	approved as amended	Pass

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Adoption of Relocation Assistance Policy for County Property Acquisition

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt the attached Resolution approving the Relocation Assistance Policy; and
2. Direct the Clerk of the Board to provide one (1) fully executed original copy of the attached resolution and policy to the Humboldt County Department of Public Works Facility Management.

SOURCE OF FUNDING:

N/A

DISCUSSION:

The County of Humboldt is committed to ensuring that uniform, fair and equitable treatment is afforded to persons displaced from their homes, businesses or farms as a result of the county's actions, in order for such persons to not suffer disproportionate injury as a result of action taken for the benefit of the public as a whole. In the acquisition of real property, the county is also committed to ensuring consistent and fair treatment for owners and/or their tenants of the real property to be acquired, to encourage and expedite acquisition by agreement with owners and/or their tenants of such property in

order to avoid litigation and relieve congestion in courts, and to promote confidence in the county's land acquisition.

Government Code section 7267.8 states that all public entities shall adopt rules and regulations to implement payments and to administer relocation assistance under Chapter 16 of Division 7 of Title 1 of the Government Code.

Public Works staff drafted this policy to assist and provide guidance in future real property acquisitions by the county. This policy and its program will be implemented and managed by Public Works.

A draft of the policy was provided to Lynn Martinez with Disability Rights California for their review and comments. Attached is a copy of her Oct. 14, 2020 letter. Ms. Martinez's review and comments identified areas that the initial draft inadvertently left out and requested revisions that exceeded the minimum requirements or is due to a difference in interpretation of the applicable statutes, regulations, and guidelines.

The draft policy was revised based on the comments received from Ms. Martinez; specifically, Sections 1.5, 1.6, 2.3, 2.6, and 5.2. The revised policy is consistent with and meets the standards and procedures specified in the California Relocation Assistance Law (Government Code section 7260 *et seq.*) and the regulations and guidelines specified in Section 6000 *et seq. of Title 25 of the California Code of Regulations.*

Attached is a proposed Resolution and Relocation Assistance Policy for your Board's approval.

FINANCIAL IMPACT:

The financial impact is unknown at this time as various costs associated with providing relocation assistance is dependent on the circumstances of the real property acquisition.

STRATEGIC FRAMEWORK:

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

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF:

Your Board could choose not to approve the Relocation Assistance Policy. However, this is not recommended as Government Code section 7267.8(a) requires all public entities to adopt rules and regulations to implement payments and to administer relocation assistance. Alternatively, your Board could adopt a resolution stating that the county will comply with the requirements and procedures specified in the California Relocation Assistance Law (Government Code section 7260 *et seq.*) and the Relocation Assistance and Real Property Acquisition Guidelines (25 CCR §§6000 *et seq.*)

ATTACHMENTS:

Attachment 1 - Resolution

Attachment 2 - County Relocation Assistance Policy
Attachment 3 - Disability Rights California letter

PREVIOUS ACTION/REFERRAL:

Board Order No.: L-2

Meeting of: 7/7/2020

File No.: 20-847