



COUNTY OF HUMBOLDT

Legislation Text

File #: 21-748, Version: 1

To: Board of Supervisors

From: Public Works

Agenda Section: Departmental

SUBJECT:

Notice of Intent to Convey Property in the Southwest Quadrant of the Interchange of Loleta Drive and State Highway 101 to Loleta Community Services District (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Find that a portion of the right of way in the southwest quadrant of the interchange of Loleta Drive and State Highway 101 is excess right of way and not needed for public or roadway purposes (Attachment 1);
2. Find that the county is authorized by Government Code section 25365(a) to convey property to Loleta Community Services District; and
3. Direct the Clerk of the Board via Public Works Land Use Division to publish on July 4, 2021, a notice of the County of Humboldt's intent to convey property pursuant to Government Code section 25365. (4/5 vote required)

SOURCE OF FUNDING:

N/A

DISCUSSION:

Loleta Community Services District (LCSD) approached Humboldt County Department of Public Works staff with a request to convey excess right of way adjacent to Loleta Drive, east of the town of Loleta, to LCSD (Attachment 1). LCSD currently owns and operates a 225,000-gallon redwood water storage tank, constructed in 1972, which serves as the only public water storage for the entire community of Loleta. The tank is in poor condition with significant leaks and is currently operating at 50% capacity. It does not meet current seismic standards, and it does not have sufficient capacity to meet the community's fire suppression needs.

The existing tank is located on Assessor Parcel Number 309-042-025, which is owned by LCSD. Access to the site is from the Highway 101 southbound onramp through an encroachment permit with the California Department of Transportation (Caltrans). Caltrans has indicated that if the tank is replaced on the same property, they will not renew the encroachment permit because it is unsafe to

access the property from a highway onramp. Additional access locations have been investigated, but the costs involved in developing alternative access to the site are prohibitive.

Relinquishment No. 436 recorded in Volume 761 of Official Records, page 56, on November 8, 1963, Humboldt County Records, conveyed property to Humboldt County at the interchange of State Highway 101 and Loleta Drive. The county acquired approximately 3.4 acres of property on the west side of the highway via this relinquishment from Caltrans. Of this property, only about 0.6 acres is occupied by Loleta Drive, while the remaining land on both the north and south sides of the road is considered to be excess right of way. The area proposed for conveyance to LCSD is shown on the attached Project Vicinity map and the Proposed Property Boundary map (Attachment 1).

Government Code section 25365(a) states that the Board of Supervisors may, by a four-fifths (4/5) vote, convey property to any special district within the county if the property is not required for county use. Government Code section 25365(c) states that unless the agencies are governed by the same County Board of Supervisors, the transferring Board of Supervisors shall publish a notice of its intended action, pursuant to Government Code section 6061. Based on this code section, your Board may convey the property to LCSD as shown on the attached maps (Attachment 1).

The Humboldt County Planning Commission held a General Plan Conformance review for the conveyance of approximately 0.80 acres of property from Humboldt County to Loleta Community Services District on April 15, 2021 and approved the proposed conveyance (Attachment 3).

If your Board decides to convey the property, Government Code section 25365(c) states that a notice of intent must be published once in a newspaper at least one week prior to the conveyance (Attachment 2).

The Land Use Division of the Humboldt County Public Works Department supports the conveyance of this excess right of way to LCSD and recommends that your Board reconvenes on the topic during the scheduled meeting on July 13, 2021.

FINANCIAL IMPACT:

There is no impact to the General Fund. Loleta Community Services District has paid \$5,000 for county staff time and associated costs and has agreed to cover any costs over and above that amount.

STRATEGIC FRAMEWORK:

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

OTHER AGENCY INVOLVEMENT:

Loleta Community Services District

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may decide not to convey the property to Loleta Community Services District. This action would result in Loleta Community Services District potentially not being able to construct new water

tanks, thereby ensuring a safe public water supply for the Loleta community.

ATTACHMENTS:

1. “Project Vicinity” and “Proposed Property Boundary” maps
2. Notice of Intent to Convey Real Property to Loleta Community Services District
3. Notice of Planning Commission Decision and Record of Action

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A