



# COUNTY OF HUMBOLDT

For the meeting of: 4/25/2023

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File #: 23-497

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**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Consent

**Vote Requirement:** Majority

**SUBJECT:**

Storm Damage Repair to Shively Road (C4F012) at Post Mile 0.52

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve the attached plans and specifications for the Storm Damage Repair to Shively Road (C4F012) at Post Mile 0.52 Project;
2. Find that the project is exempt from environmental review pursuant to Section 15302 and 15269 of the California Environmental Quality Act (CEQA) Guidelines; and
3. Direct the Clerk of the Board to advertise the above-mentioned project as required by Section 22037 of the California Public Contract Code, with bids to be opened on Tuesday, May 30, 2023, at 2:00 p.m.

**SOURCE OF FUNDING:**

Road Fund (1200), Federal Emergency Management Agency, California Governor's Office of Emergency Services

**DISCUSSION:**

On Feb. 14, 2017, the Federal Emergency Management Agency declared a disaster for Humboldt County due to severe winter storms, flooding and mudslides. Shively Road (C4F012) Post Mile 0.52, located near the communities of Scotia and Shively in the central area of Humboldt County, experienced roadway failure due to saturated embankment soils slipping beneath the roadway. The embankment failures resulted in lane closures and additional hazards to commuters on Shively Road.

On May 21, 2018, the Humboldt County Department of Public Works ("Public Works") received notification of project approval from the Federal Emergency Management Agency. After a change in project scope was approved by the Federal Emergency Management Agency on Jan. 27, 2023, Public Works subsequently prepared the attached plans and specifications for the project. The work proposed in the attached plans and specifications consists of removing trees and stumps, excavating for roadway

realignment, installing culvert cross drain, rebuilding the roadway with aggregate and hot mix asphalt, and applying erosion control items.

The 2017 Storm Damage project mentioned herein falls under Categorical Exemption Class 2, Replacement or Reconstruction (State CEQA Guidelines Section 15302). This exemption applies to projects that are existing facilities and consist of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Replacement or reconstruction of existing structures on the same site with the same purpose and capacity is appropriate for existing facilities maintained by the Public Works Department.

Additionally, storm damage projects also fall under the Statutory Exemption for Emergency Projects (State CEQA Guidelines Section 15269). This exemption applies to projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code.

Accordingly, Public Works recommends that the Board of Supervisors approve the attached plans and specifications; find that the project is exempt from environmental review pursuant to Section 15301 and 15302 of the CEQA Guidelines; and advertise the Storm Damage Repair to Shively Road (C4F012) at Post Mile 0.52.

**FINANCIAL IMPACT:**

<b>Expenditures</b>	<b>FY22-23 Adopted</b>	<b>FY23-24 *</b>
Engineer's Cost of Contract Items	\$\$	\$211,120.00
Contingencies (5%)	\$\$	\$10,556.00
Construction Engineering (15%)	\$10,000.00	\$21,668.00
<b>Total Expenditures</b>	<b>\$10,000.00</b>	<b>\$243,344.00</b>
<b>Funding Sources</b>	<b>FY22-23 Adopted</b>	<b>FY23-24 *</b>
General Fund	\$0.00	\$0.00
FEMA Funds 75%	\$7,500.00	\$82,508.00
Cal OES Funds 18.75%	\$1,875.00	\$45,627.00
Road Fund (1200) 6.25%	\$625.00	\$15,209.00
<b>Total Funding Sources</b>	<b>\$10,000.00</b>	<b>\$243,344.00</b>

*\*Projected amounts are estimates and are subject to change.*

**Narrative Explanation of Financial Impact:**

There is no financial commitment until the Storm Damage Repair to Shively Road (C4F012) at Post Mile 0.52 project is awarded. This project is being funded by Federal Emergency Management Agency Disaster Funds (75%), California Governor's Office of Emergency Services fund (18.75%) and the Humboldt County Road Fund (6.25%). The engineer's cost estimate for contracted construction items is \$211,120.00.

Expenditure appropriations related to completion of the Storm Damage Repair to Shively Road (C4F012) at Post Mile 0.52 project are included in the approved fiscal year (FY) 2022-23 and the proposed 2023-24 budgets for Road-Engineering, budget unit 1200-321.

Projects are paid in arrears. The FY 2021-22 Annual Road Report, completed by the State of California, reflected an estimated negative fund balance of \$8.8 million in the county's Road Fund. Even after allocating nearly \$6.8 million of American Rescue Plan Act (ARPA) funds to the Road Fund in order to reduce the negative fund balance, the current estimated fund balance remains negative by approximately \$11 million.

This negative balance is partially due to the timing of Federal Emergency Management Agency reimbursements to the county, which can take years for the county to receive repayment. The current outstanding repayments is approximately \$11.5 million. The department utilizes other state and local funding, such as Regional Surface Transportation Program funds, for the Humboldt County Road Fund match for reimbursable projects. Despite those additional funding sources, Road Fund projects are underfunded and will very likely have a negative impact on the General Fund if additional revenue sources are not secured.

STAFFING IMPACT:

There is no impact to current staffing levels related to the advertisement of the Storm Damage Repair to Shively Road (C4F012) at Post Mile 0.52 project.

STRATEGIC FRAMEWORK:

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

OTHER AGENCY INVOLVEMENT:

Federal Emergency Management Agency; California Governor's Office of Emergency Services

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors may choose not to approve the attached plans and specifications for the Storm Damage Repair to Shively Road (C4F012) at Post Mile 0.52 project. However, this alternative is not recommended because the project will maintain public access using funds that would not otherwise be available to the County of Humboldt.

ATTACHMENTS:

1. Plans for the Storm Damage Repair to Shively Road (C4F012) at Post Mile 0.52; Project No. FEMA 4308-DR-CA PW-789; Contract No. 217535
2. Special Provisions for the Storm Damage Repair to Shively Road (C4F012) at Post Mile 0.52; Project No. FEMA 4308-DR-CA PW-789; Contract No. 217535

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

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