



## Legislation Details (With Text)

**File #:** 19-1153      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 7/19/2019      **In control:** Board of Supervisors

**On agenda:** 2/25/2020      **Final action:** 2/25/2020

**Title:** Department of Transportation recommending the Board consider the following actions pertaining to the Country Club Heights Erosion Control Project, CIP 95191:  
 1) Adopt and authorize the Chair to sign Resolution of Intent 026-2020 to remove a 330-foot portion of Waverly Drive from the County maintained mileage system; and  
 2) Authorize the Clerk of the Board to schedule a hearing for the proposed removal from the maintained mileage system.

**FUNDING:** California Tahoe Conservancy (100% - State).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Resolution of Intention-Waverly, 2. B - Fig A, 3. C - Exhibit A, 4. D -Counsel Approval, 5. Executed Resolution 026-2020

Date	Ver.	Action By	Action	Result
2/25/2020	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board consider the following actions pertaining to the Country Club Heights Erosion Control Project, CIP 95191:  
 1) Adopt and authorize the Chair to sign Resolution of Intent **026-2020** to remove a 330-foot portion of Waverly Drive from the County maintained mileage system; and  
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### DISCUSSION / BACKGROUND

Department of Transportation (Transportation) plans to construct the final phase of the Country Club Heights Erosion Control Project (Project) during the 2021 construction season. This Project is included in the Tahoe Regional Planning Agency's (TRPA) Environmental Improvement Program. The Project, located in El Dorado County on the south shore of Lake Tahoe, includes Country Club Heights Unit No. 1 Subdivision. As a part of the Project environmental strategy, the County identified the removal of existing asphalt from a 330-foot portion of Waverly Drive, between Tam O Shanter Drive and Elks Club Drive in the Country Club Heights subdivision. This section of Waverly Drive is bordered by undeveloped publicly owned parcels. It has also been determined to have very low traffic volumes and does not provide primary access to properties on Waverly Drive.

Waverly Drive is a county highway pursuant to Streets and Highways Code Section 960.5.

Section 954.5(a) of the Streets and Higways Code states, "The board of supervisors may, by resolution, terminate the maintenance of any county highway if it finds that the highway is unnecessary for public convenience." Section 954.5(b) of the Streets and Highways Code provides

that a county highway may be deemed unnecessary for the public convenience on the basis of any of the following:

1. The county highway does not provide the primary access to occupied properties.
2. Traffic on the county highway is intermittent and of low volume.
3. The county highway is impassable for more than 6 months and there is no demand that it be reopened.

Waverly Drive does not provide the primary access to residents, as this is provided from Tam O Shanter Drive from the southeast. The portion of Waverly Drive proposed for maintenance termination is bordered by vacant parcels owned by the California Tahoe Conservancy (Conservancy), resulting in intermittent traffic of a low volume. A map showing Waverly Drive, its adjoining parcels, and the limits of the proposed maintenance termination is attached (Figure A). The Project would require the removal of asphalt concrete within the maintenance termination limits and the placement of large boulders to permanently block vehicular access to the abandoned road. Transportation staff has spoken with all of the homeowners on Waverly Drive, and they are all in favor of Transportation's plan to terminate maintenance of the affected portion of Waverly Drive.

Transportation has contacted the various utility companies in writing regarding the future removal of asphalt from this section of Waverly Drive (this area contains South Tahoe Public Utility District (STPUD) facilities). Since the area will remain County property; utilities, the Conservancy, and the public will still retain non-vehicular access rights to the area where the road is proposed for maintenance termination. Even though the impacted portion of Waverly Drive will be removed from the County's road network, Transportation will continue to maintain the abandoned area as necessitated by funding requirements. The Project scope includes removing the existing pavement and restoring the area with native seed mix. The removal of this section of Waverly Drive from the maintained mileage system and subsequent restoration will reduce the amount of impervious asphalt and increase the area's natural cleansing capabilities, which is consistent with the goals of the TRPA and the State of California to protect the water quality of Lake Tahoe.

Transportation staff will work with the Clerk of the Board to provide public notice of the public hearing regarding this proposed termination of maintenance of a portion of Waverly Drive pursuant to Section 8322 and 8323 of the Streets and Highways Code.

### **ALTERNATIVES**

The Board could choose not to adopt the resolution. Transportation would need to budget future funds for the ongoing repair and maintenance of Waverly Drive.

### **PRIOR BOARD ACTION**

N/A

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel reviewed and approved this item.

### **CAO RECOMMENDATION / COMMENTS**

It is recommended the Board approve this item.

### **FINANCIAL IMPACT**

The total estimated cost of the project is \$55,000 and is funded 100% by the Conservancy. Project costs include construction and restoration (\$45,000) and staff costs associated with the restoration of the site and the termination of maintenance process.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on the Resolution and return a signed copy to Transportation, Attention: Stephanie Lisius at Headington.
- 2) The Clerk of the Board will set a hearing date of 11 a.m. on March 17, 2020.

### **STRATEGIC PLAN COMPONENT**

Infrastructure, Good Governance

### **CONTACT**

Rafael Martinez, Director  
Department of Transportation