



Legislation Details (With Text)

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On agenda: 5/2/2023 **Final action:** 5/2/2023
Title: Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution 060-2023 authorizing the Department of Transportation Director, or designee, the delegated authority to approve temporary road closures.

FUNDING: N/A

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Counsel Approval, 2. B - Resolution, 3. C - DOT Response to Stakeholders Comments and Stakeholder Comments, 4. D - Rubicon update PowerPoint, 5. Public Comment BOS Rcvd. 4-27-2023, 6. Executed Resolution 060-2023

Date	Ver.	Action By	Action	Result
5/2/2023	2	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **060-2023** authorizing the Department of Transportation Director, or designee, the delegated authority to approve temporary road closures.

FUNDING: N/A

DISCUSSION / BACKGROUND

The Department of Transportation (Transportation) manages and oversees all County owned roads and bridges, which includes monitoring the condition of roads and bridges for safety, utility work, Capital Improvement Program (CIP) projects, bridges, and land development projects. One element of management may consist of the need for road closures. These road closures support the best interest of public health, including protecting persons or property. Delegating the additional road closure authority to the Director of Transportation (Director) or designee will allow such requests to be processed more quickly and efficiently in response to public safety needs.

On February 12, 2013 (Legistar 13-0119, Item 17), the Board approved Resolution 015-2013, authorizing the Director of Transportation or successor to order the temporary closure of any county highway in the Crystal Basin area of El Dorado County, including but not limited to Ice House Road and Wentworth Springs Road within the vicinity of the Rubicon Trail. On March 6, 2018 (Legistar 18-0204, Item 23), the Board approved Resolution 021-2018 authorizing the Department of Transportation Director, or designee, the delegated authority to approve temporary road closures for only utility and CIP projects. On March 15, 2022 (Legistar 21-1861, Item 13), the Board approved Resolution 044-2022, revising authority to include bridges and land development projects that Transportation oversees. The proposed Resolution revises that authority to include any situation that the Director deems necessary for the safety of persons or property for a consecutive period of no more than 90 days.

The California Vehicle Code, Sections 21101 et seq. and 942.6, provide for the adoption of rules and regulations by local authorities to temporarily close roads for specific purposes, and for the Board of Supervisors to delegate such authority to the Road Commissioner, respectively. County Code Section 12.04.030 defines the Road Commissioner as the Department of Transportation Director.

The proposed road closure Resolution will combine the two prior Resolutions and allow the Director the authority to approve and order the temporary closure of the Rubicon Trail and any County highway or bridge for a consecutive period of no more than 90 days and to establish an alternate access route for traffic use, when deemed necessary, during the time of the temporary closure. The County works to open all temporary closures as soon as safely possible. When the Rubicon Trail necessitates a closure, the County will provide updates at least every seven calendar days during the time of closure.

Transportation or its designee will notify the public, the County Supervisor of the affected district, and others as stated in the Resolution as soon as possible about a planned closure and within 24-hours of an emergency closure.

Specifically related to the Rubicon Trail, to ensure receipt of communication the public can sign up for County email notifications, that include Rubicon Trail notifications, by going to <https://www.edcgov.us/>, clicking on the "I want to" tab on top, select Sign Up for "Email Subscriptions", and click "Register for Email Subscription Service Now!" under How to Subscribe. Follow the prompts to access current information posted on the County Rubicon Trail website at <https://www.edcgov.us/Government/Rubicon>, or access current information via Transportation's website at <https://www.edcgov.us/Government/DOT>, under Rubicon Trail information, that links to the Rubicon Trail website. Transportation or its designee will provide updates at least every seven calendar days during the time of closure and will make every effort to open the Rubicon Trail as soon as possible.

Transportation met with the Rubicon stakeholders on Monday, February 13, 2023, to hear concerns and suggestions on how the County can better serve the recreational public that use the Rubicon. Staff took notes and worked with County Counsel to draft the proposed Resolution. Transportation sent the proposed Resolution to the stakeholders for a seven day review and requested any comments be written and provided by Monday, March 13, 2023. For a detailed response to stakeholder's comments please see attachment C. One notable change that came as a result of written comment is to the sunset date of the new Resolution. Stakeholders requested no sunset date. Staff agrees with this course of action due to the technical aspects of closures and monitoring procedures which are not expected to change. Should procedures require a change, staff would bring a revised resolution before the Board. With adoption of the proposed Resolution the Board would be approving an exception to Board Policy A-1, Section II, Item E, that states "All adopted policies shall be periodically reviewed to assure relevance, timeliness, and accuracy. To ensure that this review occurs, all policies must contain a date for the next review, generally not less than 4 years from the date the policy or update thereto was last approved by the Board."

ALTERNATIVES

The Board could choose not to adopt the Resolution, thereby requiring Transportation to return to the Board to obtain road closure authorizations each time it is necessary outside of the parameters of the current Resolution, No. 044-2022; therefore, allowing public access to unsafe road or bridge conditions.

PRIOR BOARD ACTION

See Discussion / Background Section.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel has reviewed and approved the Resolution.

CAO RECOMMENDATION / COMMENTS

Approve staff recommendation.

FINANCIAL IMPACT

There is no change to Net County Cost associated with this item.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on the original Resolution.
- 2) The Clerk of the Board will forward one (1) copy of the executed Resolution to Transportation, Fairlane Engineering, attention Shanann Findley.

STRATEGIC PLAN COMPONENT

Infrastructure and Public Safety

CONTACT

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Department of Transportation