

COUNTY OF NEVADA
STATE OF CALIFORNIA
BOARD OF SUPERVISORS



Dan Miller
Supervisor, 3rd District
Email: dan.miller@co.nevada.ca.us

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: July 17, 2018

TO: Board of Supervisors

FROM: Supervisor Dan Miller

SUBJECT: Discussion and Request for Board Direction for the consideration of waiving County fees and covering the LAFCo annexation, and other costs associated with the River Valley Bank Offer for Dedication and Right of Way Abandonment of Town Talk Road, Grass Valley.

RECOMMENDATION: Direct County staff to take the necessary actions when applicable to waive County fees, and prepare a reimbursement agreement between Nevada County Public Works and River Valley Community bank to cover LAFCo annexation and Board of Equalization (BOE) costs associated with the River Valley Bank Right of Way Abandonment of Town Talk Road, Grass Valley, Project (17PLN-16) for the purposes of promoting public safety through the realignment of Town Talk Road.

FUNDING: N/A

BACKGROUND:

Throughout the years, residents located on Bubbling Wells Road and Town Talk Road have complained that the intersection at Brunswick Road and Town Talk Road/Bubbling Wells Road presents a public safety hazard for a variety of reasons including the potential traffic incidents or accidents that may result from the current severe acute angle of the intersection, the speed of traffic traveling on Brunswick Road, and confusion caused by the width of the intersection as a result of Town Talk Road and Bubbling Wells Road joining into Brunswick Road.

Directly northwest of the intersection, River Valley Community Bank is developing a 3,500 sq. ft. bank and 1,500 sq. ft. retail/office building at 580 Brunswick Road in Grass Valley at the intersection of Brunswick Road and Town Talk Road/Bubbling Wells Road (Grass Valley CDA File No. 17PLN-16). The project's parcel (APN 33-550-06) is located on the edge of Grass Valley City limit with Town Talk Road and Bubbling Wells located in Grass Valley's Sphere of Influence in the unincorporated area of Nevada County. The River Valley Community Bank Project initially proposed to connect to Town Talk Road and to not modify Town Talk Roads intersection with Brunswick Road.

Concerned with the potential impact additional traffic on Town Talk Road would have on the intersection of Town Talk and Brunswick Roads, Nevada County Public Works suggested to the City of Grass Valley to condition the project to either: 1) realign the Town Talk Road / Brunswick Road intersection; or 2) conduct a traffic analysis to verify that additional traffic on

950 Maidu Avenue, Suite 200, Nevada City CA 95959-8617
phone: 530.265.1480 | fax: 530.265.9836 | toll free: 888.785.1480 | email: bdofsupervisors@co.nevada.ca.us
website: <http://www.mynevadacounty.com/nc/bos/>

Town Talk Road will not negatively impact the existing intersection. Subsequently, Grass Valley included s conditions to this effect per its approval of the project. River Valley Bank submitted an Encroachment Permit to complete the realignment which would cutthrough their private parcel into Grass Valley City Limits. In addition, River Valley Bank suggests that the County abandon the existing roadway easement for Town Talk Road that would be no longer necessary due to the realignment and quitclaim the right of way, approximately 5,736 sq. ft., to River Valley Bank.

As referenced above, I have met with various members of the community, including neighboring property owners, Bubbling Wells residents, and associates of River Valley Community Bank including President and CEO John Jelavich, who have all expressed their strong support for the realignment of Town Talk Road because it would prevent and mitigate potential traffic incidents and accidents and better align the intersection with the current adjacent development across the intersection.

River Valley Community Bank prioritizes being a good steward of the community but like any business, cannot prioritize activities that benefit the general public above its own costs of doing business. As such, they are presented with the choose to either a) realign the road, b) conduct a traffic impact study or c) forego access to Town Talk Road altogether. Due to unattended increased costs, their willingness to realign the road may be jeopardized. Therefore, in an effort to secure the realignment of Town Talk Road to mitigate potential traffic incidents or accidents that may result from the current severe acute angle of the intersection, I believe an opportunity for a public private partnership may exist that could address the public safety concerns on the roadway.

Specifically, I would like to respectfully request the Board discuss and consider directing staff to take the necessary actions, when applicable, of waiving the County's easement abandonment fee, including the removal of asphalt and road debris from the abandoned easement and reimburse the developer for the project's LAFCo and Board of Equalization (BOE) fees, which would be required to annex the abandoned easement into the City of Grass Valley. This would require a budget amendment with General Fund dollars to Public Works, as well as the County entering into a reimbursement agreement with the River Valley Community Bank for LAFCo and BOE fees. The County easement abandonment fee is \$1,214.07. LAFCo charges an initial deposit of \$2,500 for staff time and materials for annexation requests with any remaining balance of the initial fee being refunded or outstanding balance charged. Applicants are also responsible to provide an annexation map and metes and bounds descriptions that meet LAFCo and State requirements; however, the developer would be responsible for this. The BOE fee is \$300 for areas under an acre. Other costs associated with the project would include the removal of asphalt and road debris from the abandoned easement. These exact costs are currently unknown but have been estimated to be less than \$5,000; however, any asphalt retrieved from the abandoned easement would be able to be reused for other projects and would be a savings to the County.

The developer has not yet submitted an application to the County for the easement abandonment and quitclaim of right of way, nor begun the process the LAFCo or Grass Valley annexation process. Therefore, no action is required until such actions have taken. However, I respectfully request that the Board consider providing direction to staff as requested above. Please note that I do not suggest, nor encourage the Board to set a precedent to allow for the waiving of fees or reimbursement of regular development activities. However, in this particular project, I believe that the positive impact to public safetv and to the residents and community from Town Talk being realigned through a public private partnership is in the best interest of the public.

Sincerely,



Dan Miller,
Supervisor, District III