



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 11/4/2025

To: Board of Supervisors

Department or Agency Name(s): Sonoma County Public Infrastructure

Staff Name and Phone Number: Johannes J. Hoevertsz, 707-565-2550

Vote Requirement: Majority

Supervisorial District(s): Fourth

Title:

Right-of-Way Contract for the River Road Bridge over Gill Creek Replacement Project

Recommended Action:

Approve and authorize the Director of Sonoma County Public Infrastructure to execute a Right-of-Way Contract and Memorandum of Agreement, in the total amount of \$67,000, with Western Habitat Partners, SPC, for needed property rights and releases related to the River Road-Gill Creek Bridge Replacement Project, along with all necessary and related transactional documents for the acquisition and release, including certificates of acceptance and similar instruments and documents, all in a form approved by County Counsel.

Executive Summary:

Sonoma County Department of Public Infrastructure (SPI) is requesting authorization of a Right-of-Way Contract with Western Habitat Partners, SPC (WHP) to acquire real property needed for the Gill Creek Bridge Replacement Project (County Project No. C11002). The Right of Way Contract includes a separate agreement that provides for WHP to be responsible for certain creekbank stabilization conditions and measures, in exchange for a funding contribution and a full release of the County as to any responsibility for the creekbank or any conditions related thereto, including changes related to the bridge project and any related future maintenance or liability. .

Discussion:

The River Road Bridge over Gill Creek Replacement Project (Project) will result in the construction of a new two-lane bridge in close proximity to the existing, but functionally obsolete, two-lane bridge. The new bridge will be designed to meet current design standards including improvements to roadway approaches and appurtenant facilities. The existing bridge will be removed after construction of the new bridge as part of the Project. The Project does not increase vehicular traffic capacity; however, it will provide two traffic lanes with shoulders as required by applicable standards. Due to the low traffic volume on River Road, pedestrians, bicycles, and vehicles will share the travel lanes and shoulders.

The Project design phase was completed in January 2025, and construction is projected to begin in 2026 pending approval of Federal Highway Bridge Program funding. Due to Project design, a small portion of adjacent property must be acquired for construction of the bridge and relocation of utilities. The adjacent

property is owned by WHP. In addition, a portion of the WHP property is also needed for staging materials and equipment, which will require a temporary construction easement. A Right-of-Way (ROW) Contract with WHP has now been negotiated. SPI is requesting your Board authorize the proposed Right-of-Way Contract in the amount of \$67,000 with WHP to obtain the necessary property rights needed for the Project.

Pursuant to Government Code sections 25350 and 25350.5 and the Streets and Highways Code, the County is authorized to acquire real property and interests therein for the uses and purposes for county highways.

Due to the nominal value of the to-be-acquired property rights, a Waiver Valuation Report was prepared in compliance with Caltrans Guidelines and in accordance with state law and federal regulations. The waiver valuation calculated the fair compensation for the easements to be \$5,000. The ROW Contract represents fair and just compensation for the value of the property to be acquired and for costs to replace improvements.

In addition to the easements to be acquired, the ROW Contract provides for an additional arrangement with regard to other WHP property that could be impacted by the Project. Certain creekbank portions of the WHP property may be subject to erosion, scouring, and stabilization issues due to increased creek channel flow related to the new bridge. The County had proposed to WHP that County acquire easement rights to that impacted area and then County would improve the area with rock slop protection (“riprap”) and be permanently responsible for maintaining the protection and bank. WHP, as an environmental conservation entity, rejected that proposal and instead prefers to take responsibility for the bank and to undertake environmental habitat restoration of the impacted area. The WHP proposal would eliminate the need for the County to acquire a permanent easement and install approximately \$63,000 worth of work. Furthermore, it would eliminate the need for maintenance of rock slope protection in perpetuity and release the County in perpetuity for any responsibility or liability for the bank. A Memorandum of Agreement was therefore negotiated to effect the WHP proposal and release of the County.

For the necessary easement rights and for the in lieu costs avoided due to the WHP bank restoration proposal, the ROW Contract and Memorandum of Agreement provide for a total compensation of \$67,000 (\$63,000 in lieu +\$5,000 for easements -\$1000 for easement eliminated from project).

Required environmental analysis for the Project was completed previously. On August 9, 2022, the Board adopted a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project. A Notice of Determination was filed on August 9, 2022, pursuant to Section 21152 of the Public Resources Code. The ROW Contract and underlying acquisition is consistent with the existing environmental review and mitigation program.

Strategic Plan:

This item directly supports the County’s Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

Pillar: Resilient Infrastructure

Goal: Goal 3: Continue to invest in critical road, bridge, bicycle, and pedestrian infrastructure.

Objective: Objective 4: Identify and retrofit bridges in County that are at high risk for damage during earthquakes.

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

6/4/2024 - Item 31: Third Amendment to the Agreement with Moffatt and Nichol Engineers for design of the River Road Bridge over Gill Creek Replacement Project

8/9/2022 - Item 19: Adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program and approval of the River Road Bridge over Gill Creek Replacement Project.

12/14/21 - Item 39: Second Amendment to the Agreement with Moffatt and Nichol Engineers for design of the River Road Bridge over Gill Creek Replacement Project

12/12/17 -Item 29: Moffatt & Nichol First Amendment for consulting engineer design of the River Road Bridge over Gill Creek Replacement Project (C11002)

1/13/15 - Item 18: River Road over Gill Creek Replacement Bridge Design Contract Award to Moffatt & Nichol

FISCAL SUMMARY

Expenditures	FY25-26 Adopted	FY26-27 Projected	FY27-28 Projected
Budgeted Expenses	\$67,000		
Additional Appropriation Requested			
Total Expenditures	\$67,000		
Funding Sources			
General Fund/WA GF			
State/Federal	\$67,000		
Fees/Other			
Use of Fund Balance			
General Fund Contingencies			
Total Sources	\$67,000		

Narrative Explanation of Fiscal Impacts:

Appropriations for the acquisition of the Western Habitat Partners, SPC property are included in the FY 2025-26 Roads Capital (11051-34010103) budget. The project is eligible for 100% reimbursement through the Federal Highway Bridge Program, and a portion has already been secured. SPI has applied for reimbursement of the remaining expenditures, but the application has not been approved yet. In the event the application is denied, the Department would use annual allocations from traditional Road funding sources such as Highway User Tax Account (HUTA) or Road Maintenance and Rehabilitation Account (SB1) to pay for the additional

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costs.

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Construction Packet attached includes:

Memorandum of Agreement

Right-of-Way-Contract

Grant of Easement Deed (for roadway and utility purposes)

Grant of Easement Deed (for slope maintenance purposes)

Grant of Temporary Construction Easement

Related Items “On File” with the Clerk of the Board:

None.