



# COUNTY OF HUMBOLDT

For the meeting of: December 19, 2017

Date: December 10, 2017

To: Board of Supervisors

From: Amy S. Nilsen, County Administrative Officer *AN*

Subject: Resolution Rescinding Resolution No. 15-18 and Authorizing the Renewed Commitment of Land to the Judicial Council of California for the Purpose of Constructing New Courtroom Facilities for the Humboldt County Superior Court

RECOMMENDATIONS:

That the Board of Supervisors:

1. Adopt the attached resolution rescinding Resolution No. 15-18 and authorizing the renewed commitment of land to the Judicial Council of California for the purpose of constructing new courthouse facilities for the Humboldt County Superior Court; and
2. Direct staff to forward an original executed copy of the attached resolution to the Humboldt County Superior Court for transmittal to the Judicial Council of California.

SOURCE OF FUNDING:

General Fund

DISCUSSION:

On January 20, 2015, the Board of Supervisors approved Resolution No. 15-18 (Attachment 1) which committed the county to providing a portion of the vacant lot adjacent to the Humboldt County Correctional Facility between Fourth and Fifth Streets in Eureka ("vacant lot") to the Judicial Council of California for

Prepared by Karen Clower CAO Approval *[Signature]*

REVIEW:	Auditor _____	County Counsel <u>Sm</u>	Human Resources _____	Other _____
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TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor Sundberg Seconded by Supervisor Fennell

Ayes Sundberg, Fennell, Bass, Bohn, Wilson

Nays \_\_\_\_\_

Abstain \_\_\_\_\_

Absent \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Order No. H-4, C-13, C-23

Meeting of: 1/20/15, 8/25/15, 11/07/17

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: 12/19/17

By: *[Signature]*

Kathy Hayes, Clerk of the Board

the purpose of constructing new courtroom facilities for the Humboldt County Superior Court. Pursuant to the arrangement set forth in Resolution No. 15-18, the county would divide the vacant lot into two (2) separate parcels and provide title to one (1) of the newly created parcels to the Judicial Council of California, at no cost, upon the execution of an agreement regarding the construction of additional courtrooms. Title to the remaining parcel would be retained by the county as additional program space for the Humboldt County Correctional Facility.

On August 25, 2015, your Board adopted Resolution No. 15-89 (Attachment 2), which authorizes the Humboldt County Sheriff to submit, on behalf of the county, a grant application and proposal to the Board of State and Community Corrections ("BSCC") for the purpose of building and operating an adult criminal justice facility on the vacant lot. The county subsequently received notification from the BSCC that funding was conditionally approved pursuant to Senate Bill 863 to build the proposed Humboldt County Corrections Re-Entry Resource Center ("HCCRRC") on November 13, 2015.

During the design process for the HCCRRC, it was discovered that a lot line adjustment between the parcel on which the Humboldt County Correctional Facility is located (APN 001-191-004) and the vacant lot (APN 001-191-005) was needed in order to better facilitate construction of the HCCRRC building. The county subsequently determined that dividing the vacant lot in conjunction with the lot line adjustment process was necessary to ensure the efficient transfer of the unused portion of the property to the Judicial Council of California pursuant to the arrangement set forth in Resolution No. 15-18. On November 9, 2016, the City of Eureka conditionally approved the lot line adjustment for, and subdivision of, the vacant lot (LLA-16-0004/SD-16-0001) that was submitted by the county for the purpose of facilitating construction of the HCCRRC.

On December 12, 2016, County Administrative Officer, Amy Nilsen, sent a letter to Court Executive Officer of the Humboldt County Superior Court, Kim Bartleson, regarding the county's intent to execute a lot line adjustment for, and subdivision of, the vacant lot (Attachment 4). However, the county did not receive a response from the Court. On November 7, 2017, your Board authorized the lot line adjustment for, and subdivision of, the vacant lot (Attachment 5).

The attached resolution will rescind Resolution No. 15-18 and authorize the county to provide the remaining parcel created by the division of the vacant lot to the Judicial Council of California, at no cost, upon execution of an agreement binding the State of California to construct new courtrooms for the Humboldt County Superior Court within three (3) years after transfer of the above-referenced property.

#### FINANCIAL IMPACT:

There is no financial impact associated with adoption of the attached resolution at this time. However, if the Judicial Council of California accepts the county's offer regarding the provision of the remaining parcel created by the division of the vacant lot, there will be a cost associated with a transfer of title. Nevertheless, this cost would be minimal in comparison to the ongoing cost of transporting in-custody individuals should the Judicial Council of California decide to construct court facilities at a different location.

The recommended action supports your Board's Strategic Framework of creating opportunities for improved safety and building interjurisdictional and regional cooperation.

#### OTHER AGENCY INVOLVEMENT:

Superior Court of California, County of Humboldt

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your board could choose to not adopt the attached resolution rescinding Resolution No. 15-18 and authorizing the renewed commitment of land to the Judicial Council of California for the purpose of constructing new courthouse facilities for the Humboldt County Superior Court. However, this alternative is not recommended since doing so would leave the county and the local courts in a state of uncertainty with regard to the square footage available for future court facilities and could delay construction of the HCCRRC project.

ATTACHMENTS:

1. Resolution No. 15-18: Regarding the Commitment of Land to the Judicial Council of California to Construct New Courtroom Facilities for the Humboldt County Superior Court
2. Resolution No. 15-89: Authorizing the Humboldt County Sheriff's Office to Submit an Application and Proposal for SB 863 Funding to Construct a Local Adult Criminal Justice Facility
3. Resolution No. ~~17-111~~: Rescinding Resolution No. 15-18 and Authorizing the Renewed Commitment of Land to the Judicial Council of California for the Purpose of Constructing New Courtroom Facilities for the Humboldt County Superior Court
4. CAO Letter dated December 16, 2016
5. Parcel Map No. 3620

## **Attachment 1**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of January 20, 2015

RESOLUTION NO. 15-18

**RESOLUTION OF THE HUMBOLDT COUNTY BOARD OF SUPERVISORS REGARDING  
COMMITMENT OF LAND TO BUILD A NEW COURTHOUSE FOR THE SUPERIOR  
COURT OF CALIFORNIA, COUNTY OF HUMBOLDT**

**WHEREAS**, the County of Humboldt acquired property in 1993 intended for use in expansion of the county's correctional facility and for construction of upgraded courtroom facilities; and

**WHEREAS**, subsequent to this event, responsibility for construction of courtroom facilities transitioned from counties to the State of California, and currently resides with the Judicial Council of California; and

**WHEREAS**, an expanded correctional facility was constructed on the property and was designed to provide access to criminal courtrooms; and

**WHEREAS**, the remainder of the property, known as Assessor's Parcel Number (APN) 001-191-005, has remained undeveloped in anticipation of courtroom construction and is currently used for unimproved parking ("the gravel lot"); and

**WHEREAS**, the gravel lot creates an eyesore for the City of Eureka and a maintenance challenge for the County of Humboldt and the county is desirous of making plans for permanent construction on the site; and

**WHEREAS**, the county retains title to the gravel lot; and

**WHEREAS**, due to the advent of criminal justice realignment (AB 109) the county has need for additional program space for effective re-entry of non-violent, non-serious, non-sexual offenders into the community; and

**WHEREAS**, in order to provide for such space, the county has applied to the Board of State and Community Corrections for funding to construct detention and program space on the gravel lot; and

**WHEREAS**, the county intends to continue to pursue development of detention and program space at this location; and

**WHEREAS**, the Superior Court of California, County of Humboldt ("local court") needs expanded courtroom space to accommodate new judgeships as well as more modern facilities; and

**WHEREAS**, construction of new courtroom space for the local court was ranked as a "critical need" by the Judicial Council of California in its most recent facility plan; and

**WHEREAS**, the Sheriff of Humboldt County is responsible for providing courtroom security for the local court; and

**WHEREAS**, the county has a strong interest in the local court remaining in courtroom spaces that are located in close proximity to other county-operated criminal justice facilities including the county correctional facility; and

**WHEREAS**, the county desires to make the best use possible of the gravel lot and to achieve the best benefit possible for both the county and the local court; and

**WHEREAS**, the gravel lot can be split in such a manner as to construct both the needed detention and program space for AB 109 programs and the needed courtroom space for the local court; and

**WHEREAS**, the county is willing to split the lot and to provide title to a portion of the lot to the State of California if it is assured that the land will be used to construct new courtroom space for the local court.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of January 20, 2015

RESOLUTION NO. 15-18

**NOW, THEREFORE, BE IT RESOLVED** that the Humboldt County Board of Supervisors hereby commits to providing space in the undeveloped lot adjacent to the existing Humboldt County Courthouse (a portion of existing APN #001-191-005) to the Judicial Council of California upon execution of an agreement binding the Judicial Council to construct new courtrooms for the Superior Court of California, County of Humboldt, within three years of transfer of title of the property to the State of California.

Dated: January 20, 2015



ESTELLE FENNELL, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Bohn, seconded by Supervisor Bass, and the following vote:

AYES:	Supervisors	Sundberg, Lovelace, Fennell, Bohn, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--

STATE OF CALIFORNIA )  
County of Humboldt )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



By ANA HARTWELL  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California

## **Attachment 2**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of August 25, 2015

RESOLUTION NO. 15-89

**RESOLUTION AUTHORIZING THE HUMBOLDT COUNTY SHERIFF'S OFFICE TO  
SUBMIT AN APPLICATION AND PROPOSAL FOR SB 863 CONSTRUCTION OF ADULT  
LOCAL CRIMINAL JUSTICE FACILITIES**

**WHEREAS**, the Humboldt County Board of Supervisors is the approving body to receive the Board of State and Community Corrections (BSCC) funding administered by the State of California; and

**WHEREAS**, the County of Humboldt has a critical need to expand its jail and other criminal justice facilities and is ready to seek competitive bidding; and

**WHEREAS**, there is a significant cost to the County of Humboldt to provide a detention facility for those detained by City and County law enforcement entities; and

**WHEREAS**, Senate Bill 863 appropriates \$500,000,000 in state lease-revenue bond financing authority for acquisition, design and construction, including expansion or renovation, of adult local criminal justice facilities in California; and

**WHEREAS**, the BSCC, pursuant to the provisions of SB 863, issued a Request for Proposals related to the Construction of Adult Local Criminal Justice Facilities on June 10, 2015; and

**WHEREAS**, the County of Humboldt will be submitting their Response to the BSCC's Request for Proposals for Construction of Adult Local Criminal Justice Facilities by August 28, 2015; and

**WHEREAS**, the BSCC's Request for Proposals requires confirmation via a Resolution of the Humboldt County Board of Supervisors of the County's commitment to and provision for taking certain actions and preparations as part of the County's Proposal; and

**WHEREAS**, the County of Humboldt is willing and able to take the following actions and preparations as part of its Proposal in response to the BSCC's Request for Proposals for Construction of Adult Local Criminal Justice Facilities; and

**WHEREAS**, receipt of the funding will enhance the ability of Humboldt County to protect the lives and property of the citizens of the County of Humboldt.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board of Supervisors of the County of Humboldt, State of California that in consideration for significant financial assistance for the Humboldt Community Corrections Reentry Resource Center, the County will or does hereby take the following actions and make the following assurances:

- A. The County of Humboldt is seeking funding for its proposed project within the Adult Local Criminal Justice Facilities Construction Financing Program (the "SB 863 Financing Program"). As such, the Board of Supervisors of Humboldt County does hereby represent, warrant and covenant as follows:



**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of August 25, 2015

RESOLUTION NO. 15-89

1. Lawfully Available Funds. The county cash contribution funds, as described in the documentation accompanying the County's SB 863 Financing Program Proposal Form, have been derived exclusively from lawfully available funds of the County.

County Cash Contribution Funds Are Legal and Authorized. The payment of the county cash contribution funds for the proposed adult local criminal justice facility project (the "Project") (i) is within the power, legal right, and authority of the County; (ii) is legal and will not conflict with or constitute on the part of the County a material violation of, a material breach of, a material default under, or result in the creation or imposition of any lien, charge, restriction, or encumbrance upon any property of the County under the provisions of any charter instrument, bylaw, indenture, mortgage, deed of trust, pledge, note, lease, loan, installment sale agreement, contract, or other material agreement or instrument to which the County is a party or by which the County or its properties or funds are otherwise subject or bound, decree, or demand of any court or governmental agency or body having jurisdiction over the County or any of its activities, properties or funds; (iii) and have been duly authorized by all necessary and appropriate action on the part of the governing body of the County. The County ensures the funds are compatible with lease revenue bond financing. The County intends to pursue the issuance of Certificates of Participation to fund this project and currently has \$1 million available in the Criminal Justice fund that could be applied to the project if COPs are not issued. In addition, the County has identified \$500,000 cash contribution from the Humboldt County Community Corrections Partnership (HCCCP).

2. No Prior Pledge. The county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated by the County in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest by the County. In addition, the county cash contribution funds and the Project are not and will not be mortgaged, pledged, or hypothecated for the benefit of the County or its creditors in any manner or for any purpose and have not been and will not be the subject of a grant of a security interest in favor of the County or its creditors. The County shall not in any manner impair, impede or challenge the security, rights and benefits of the owners of any lease-revenue bonds sold by the State Public Works Board for the Project (the "Bonds") or the trustee for the Bonds.
3. Authorization to Proceed with the Project. The Project proposed in the County's SB 863 Financing Program proposal is authorized to proceed in its entirety when and if state financing is awarded for the Project within the SB 863 Financing Program.

- B. The County provides assurance that the submittal of documentation evidencing that compliance with CEQA has been fully completed for the proposed project and further is certifying that all related statutes of limitation have expired without challenge.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of August 25, 2015

RESOLUTION NO. 15-89

- C. The Board of Supervisors of Humboldt County does hereby approve the forms of the project documents deemed necessary, as identified by the State Public Works Board to the BSCC to effectuate the financing authorized by the SB 863 legislation including, but not limited to, Project Delivery and Construction Agreement, the Board of State and Community Corrections Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease. Each of the Chair of the Board of Supervisors, County Executive Officer and the Chief Financial Officer of the County, or their designees (collectively, the "Authorized Officers"), acting alone, is hereby authorized for and in the name of the County to execute, and the Clerk to the Board of Supervisors is authorized to attest, the Project Delivery and Construction Agreement, the Board of State and Community Corrections Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease, in substantially the form hereby approved, with such additions thereto and changes therein as required by the BSCC or the State Public Works Board to effectuate the SB 863 Financing Program and as condition to the issuance of the Bonds. Approval of such changes shall be conclusively evidenced by the execution and delivery thereof by any one of the Authorized Officers each of whom, acting alone, is authorized to approve such changes.

Each of the Authorized Officers is authorized to execute these respective agreements at such time and in such manner as is necessary within the SB 863 Financing Program. Each of the Authorized Officers is further authorized to execute, acknowledge and deliver any and all documents required to consummate the transactions contemplated by the Project Delivery and Construction Agreement, the Board of State and Community Corrections Agreement, the Ground Lease, the Right of Entry for Construction and Operation, and the Facility Sublease.

- D. The contact people for the SB 863 Adult Local Criminal Facilities Construction Project shall be as follows:

County Construction Administrator - Tyler Holmes, Deputy Public Works Director-  
Facilities Management.

Project Financial Officer- Josielyn Gilbaugh, Deputy Public Works Director - General  
Services.

Project Contact - Ed Wilkinson, Captain, Humboldt County Sheriff's Office.

The Humboldt County Sheriff, or his designee, is hereby authorized to create and submit a proposal for SB 863 Adult Local Criminal Facilities Construction Project, on behalf of the COUNTY OF HUMBOLDT, a political subdivision of the State of California, and to do and perform everything necessary to carry out the purpose of this Resolution including any necessary non-monetary changes, modifications, or amendments.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of August 25, 2015

RESOLUTION NO. 15-89

- E. The Humboldt County Board of Supervisors has reviewed the SB 863 Adult Local Criminal Facilities Construction Financing Program Proposal requirements issued through the BSCC and provides the following Assurances for the Proposal.
1. The County of Humboldt assures it will adhere to state requirements and terms of the agreements between the County, the Board of State and Community Corrections and the State Public Works Board in the expenditure of any state financing allocation and county contribution funds.
  2. The County of Humboldt assures it will safely staff and operate the facility that is being constructed (consistent with Title 15, California Code of Regulations) within ninety (90) days after project completion.
  3. The County of Humboldt certifies that it is not and will not be leasing housing capacity in this SB 863 financed adult local criminal justice facility to any other public or private entity for a period of 10 years beyond the completion date of the adult local criminal justice facility.
  4. The County of Humboldt assures it has project site control through either fee simple ownership of the site or comparable long-term possession of the site, and right of access to the project sufficient to assure undisturbed use and possession of the site, and will not dispose of, or modify the use of, or change the terms of the real property title, or other interest in the site of facility subject to construction, or lease the facility for operation to other entities, without permission and instructions from the Board of State and Community Corrections.
  5. The County of Humboldt attests to \$325,000 as the current fair market land value for the proposed new or expanded jail facility as reflected in the independent appraisal acquired by the County.

Dated: August 25, 2015



ESTELLE FENNELL, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Bass, seconded by Supervisor Sundberg, and the following vote:

AYES:	Supervisors	Sundberg, Lovelace, Fennell, Bohn, Bass
NAYS:	Supervisors	--
ABSENT:	Supervisors	--
ABSTAIN:	Supervisors	--


**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of August 25, 2015

RESOLUTION NO. 15-89

STATE OF CALIFORNIA    )  
County of Humboldt     )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

  
\_\_\_\_\_  
By ANA HARTWELL  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California

## **Attachment 3**

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of December 19, 2017

RESOLUTION NO. 17-111

**RESOLUTION RESCINDING RESOLUTION NO. 15-18 AND AUTHORIZING THE RENEWED COMMITMENT OF LAND TO THE JUDICIAL COUNCIL OF CALIFORNIA FOR THE PURPOSE OF CONSTRUCTING NEW COURTROOM FACILITIES FOR THE HUMBOLDT COUNTY SUPERIOR COURT**

**WHEREAS**, in 1993 the County of Humboldt ("County") acquired property adjacent to the existing Humboldt County Courthouse in order to expand the County's correctional and courtroom facilities; and

**WHEREAS**, subsequent to the County's acquisition of such property, responsibility for construction of courtroom facilities transitioned from County to the Judicial Council of California ("Judicial Council"); and

**WHEREAS**, in 1989 County constructed an expanded correctional facility that was designed to provide access to criminal courtrooms on the property; and

**WHEREAS**, title to the remainder of the property (APN 001-191-005), known as the "gravel lot," was retained by the County; and

**WHEREAS**, the gravel lot has remained undeveloped, and is currently used as unimproved parking, in anticipation of courtroom construction; and

**WHEREAS**, the gravel lot creates an eyesore for the City of Eureka and a maintenance challenge for the County; and

**WHEREAS**, on January 20, 2015, the Humboldt County Board of Supervisors approved Resolution No. 15-18 which committed the County to providing a portion of the gravel lot to the Judicial Council for the purpose of building upgraded courtroom facilities for the Superior Court of California located in Humboldt County ("Humboldt County Superior Court"); and

**WHEREAS**, pursuant to Resolution No. 15-18, the County would divide the gravel lot into two (2) separate parcels and provide title to one (1) of the newly created parcels to the Judicial Council, at no cost, upon the execution of an agreement regarding the construction of additional courtrooms; and

**WHEREAS**, title to the remaining parcel created by the division of the gravel lot would be retained by the County as additional program space for the Humboldt County Correctional Facility; and

**WHEREAS**, the advent of criminal justice realignment (Assembly Bill 109) has created a need for the provision of additional services to the County's inmate and probation populations; and

**WHEREAS**, the County requires additional program space to provide the increased level of services needed to ensure the effective and successful re-entry of non-violent, non-serious, non-sexual offenders into the community; and

**WHEREAS**, in order to provide for such program space, the Humboldt County Board of Supervisors adopted Resolution No. 15-89, which authorized the Humboldt County Sheriff's Office to submit, on behalf of the County, a grant application and proposal to the Board of State and Community Corrections for the purpose of building and operating an adult criminal justice facility on the gravel lot, on August 25, 2015; and

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified copy of portion of proceedings, Meeting of December 19, 2017

RESOLUTION NO. 17-111

**WHEREAS**, on November 13, 2015, the County received notification from the Board of State and Community Corrections that funding was conditionally approved pursuant to Senate Bill 863 to build the proposed adult criminal justice facility known as the Humboldt County Corrections Re-Entry Resources Center ("HCCRRC"); and

**WHEREAS**, during the design process for the HCCRRC, it was discovered that a lot line adjustment between the parcel on which the Humboldt County Correctional Facility is located and the gravel lot was needed in order to better facilitate construction of the HCCRRC building; and

**WHEREAS**, the County subsequently determined that dividing the gravel lot in conjunction with the above-referenced lot line adjustment process was necessary to ensure the efficient transfer of the unused portion of the property to the Judicial Council pursuant to the arrangement set forth in Resolution No. 15-18; and

**WHEREAS**, on November 9, 2016, the City of Eureka conditionally approved the lot line adjustment for, and subdivision of, the gravel lot (LLA-16-0004/SD-16-001) that was submitted by the County for the purpose of facilitating construction of the HCCRRC; and

**WHEREAS**, on November 7, 2017, the Humboldt County Board of Supervisors approved the lot line adjustment for, and subdivision of, the gravel lot; and

**WHEREAS**, due to the above-referenced events, there is now a need to rescind Resolution No. 15-18 in order to clarify and renew the County's commitment to provide land for the purpose of building updated courtroom facilities for the Humboldt County Superior Court; and

**WHEREAS**, the County has a strong interest in the Humboldt County Superior Court utilizing courtroom facilities that are located in close proximity to other County-operated criminal justice facilities, including, without limitation, the Humboldt County Correctional Facility; and

**WHEREAS**, construction of new courtroom facilities for the Humboldt County Superior Court was ranked as a "critical need" by the Judicial Council in its most recent facility plan; and

**WHEREAS**, the Humboldt County Superior Court needs expanded courtroom space to accommodate new judgeships as well as more modern facilities; and

**WHEREAS**, the County desires to make the best possible use of the remaining parcel created by the recent division of the gravel lot and to achieve the best benefit possible for both the County and the Humboldt County Superior Court; and

**WHEREAS**, the gravel lot has been divided in such a manner as to allow for the construction of both the HCCRRC and the additional courtroom facilities needed by the Humboldt County Superior Court; and

**WHEREAS**, the County is willing provide title to the remaining parcel created by the recent division of the gravel lot to the Judicial Council, at no cost, upon the receipt of adequate assurances that such land will be used to construct additional courtroom facilities for the Humboldt County Superior Court.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of December 19, 2017

RESOLUTION NO. 17-111

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. Resolution No. 15-18 is hereby rescinded.
2. The Humboldt County Board of Supervisors hereby commits to providing the undeveloped lot adjacent to the existing Humboldt County Courthouse (APN 001-191-007), identified as Parcel 2 as shown on Parcel Map No. 3620, at Pages 69 and 70, of Book 36 of Parcel Maps of the County of Humboldt, State of California, to the Judicial Council of California, at no cost, upon execution of an agreement binding the State of California to construct new courtroom facilities for the Humboldt County Superior Court within three (3) years after transfer of the above-referenced property thereto.

Dated: December 19, 2017

  
\_\_\_\_\_  
Virginia Bass, Chair  
Humboldt County Board of Supervisors


Adopted on motion by Supervisor Sundberg, seconded by Supervisor Fennell, and the following vote:

AYES: Supervisors Bohn, Fennell, Bass, Wilson, Sundberg  
NAYS: Supervisors --  
ABSENT: Supervisors --  
ABSTAIN: Supervisors --

STATE OF CALIFORNIA )  
County of Humboldt )

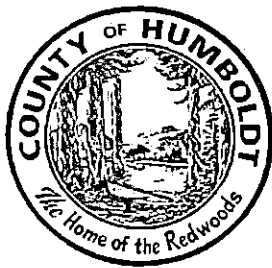
I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

  
\_\_\_\_\_  
By Brooke Eberhardt  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California



## **Attachment 4**



**COUNTY ADMINISTRATIVE OFFICE  
MANAGEMENT & BUDGET TEAM  
COUNTY OF HUMBOLDT**

825 5th Street, Suite 112, Eureka, CA 95501-1153  
Telephone (707) 445-7266 Fax (707) 445-7299  
[cao@co.humboldt.ca.us](mailto:cao@co.humboldt.ca.us)

December 12, 2016

Kim Bartleson  
Humboldt County Superior Court  
421 I Street  
Eureka, Ca 95501

Dear Ms. Bartleson,

This letter is to notify you of the county's intent to execute a lot line adjustment to the gravel lot. On January 20, 2015, the County Administrative Office took a resolution to the Board of Supervisors with the intent to identify a split of the gravel lot.

As the board letter stated for more than 20 years, the county has held title to a vacant lot adjacent to the east side of the correctional facility between Fourth and Fifth Streets, accessed off K Street, in the City of Eureka. For most of this period, the lot has served as overflow parking for county and court employees. It is largely unpaved and this creates maintenance issues.

The original intent of acquiring the lot was to site a courthouse on the property. However, in 1997 the courts transferred to state responsibility. Since that time, the state has not moved forward with construction of a new courthouse in Eureka despite the documented need of the local courts for additional courtrooms. On January 20, 2015, county staff recommended that the Board of Supervisors adopt a resolution offering to split the vacant lot into two parcels – one to be retained by the county for expansion of program space for the correctional facility and one to be provided free of charge to the state for construction of a new courthouse. Lot lines were not defined in this resolution.

The county has begun the process of working with the state on its Humboldt County Community Corrections Re-Entry Resource Center project and it has discovered a need to define the adjustment of the gravel lot to secure needed funding for this project through the state. Attached is a map of the proposed lot line adjustment the county plans to take to the Board of Supervisors to amend the January 20, 2015, resolution and define the lot line adjustment. The map shows two parcels Parcel 1 and Parcel 2. Parcel 1 is the proposed site of the Humboldt County Community Corrections Re-Entry Resource Center project site. Parcel 2 is the proposed site for future construction of a new courthouse. Square footage of Parcel 1 is 16521, square footage of Parcel 2 is 16518. The county will retain Parcel 2 until such time as the state moves forward with the building of a new courthouse.

Sincerely,

Amy S. Nilsen  
County Administrative Officer

ASN/kcc  
Enc.

## **Attachment 5**

**OWNER'S STATEMENT**

FROM ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE PARTY HAVING A RECORD TITLE INTEREST IN THE REAL PROPERTY DESCRIBED BY THIS MAP, DOES HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND TO THE DEDICATION OF THE EASEMENTS FOR THE PURPOSES SHOWN HEREON.

COUNTY OF HUMBOLDT, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA  
Virginia Dean DATED 11/9/17  
VIRGINIA DEAN, OWNER  
HUMBOLDT COUNTY BOARD OF SUPERVISORS

**NOTARY ACKNOWLEDGMENT**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE HEREBY CERTIFIES THE IDENTITY OF THE PERSON(S) WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA  
COUNTY OF HUMBOLDT  
ON 11-09-2017 before me Teri Rose Burnham-Gridley personally appeared Virginia Dean, who being known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their subscription on the instrument the person(s) do the act(s) upon behalf of which the person(s) acted, executed the instrument.  
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPHS IS TRUE AND CORRECT.  
WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE Teri Rose Burnham-Gridley  
MY PRINCIPAL PLACE OF BUSINESS IS IN HUMBOLDT COUNTY  
MY COMMISSION EXPIRES April 12, 2020

**CITY SURVEYOR'S STATEMENT**

PURSUANT TO SECTION 26000 OF THE GOVERNMENT CODE, THIS MAP HAS BEEN EXAMINED THIS 15TH DAY OF DECEMBER, 2017, AND I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

[Signature]  
KATHERINE R. JONSTON, PLS #194  
CITY SURVEYOR, CITY OF EUREKA  
DATED 11/15/2017



**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEYORSHIP MAP ACT AND LOCAL ORDINANCE, AT THE REQUEST OF HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS IN UNION WITH A FOREST ESTATE THAT THIS PARCEL, SHOWN SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED EXISTING MAP, IF ANY, AND THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO DEFINE THE SURVEY TO BE REVERSED.

[Signature]  
RONALD C. CARTER, PLS #717  
DATED 10/20/2017



**TAX COLLECTOR'S STATEMENT**

I, JOHN BARTHOLOMEW, TAX COLLECTOR OF HUMBOLDT COUNTY, CALIFORNIA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THAT THERE ARE NO TAX LIES CURRENTLY DUE AGAINST THE LAND WITHIN THIS SUBDIVISION OR PARCELS, OR PARCELS RECEIVED AS ADDITIONAL PARCELS, NO. 001-31-005, FOR ANY UNPAID COUNTY TAXES OR SPECIAL ASSESSMENTS.

I FURTHER CERTIFY THAT TAXES OR ASSESSMENTS WHICH WILL BECOME A LIEN ON THE PROPERTY, BUT WHICH ARE NOT YET CURRENTLY DUE, ARE ESTIMATED AT \$ 0 AND THAT A GOOD IN THIS AMOUNT HAS BEEN COLLECTED AND DEPOSITED WITH THIS OFFICE ON BEHALF OF THE BOARD OF SUPERVISORS.

JOHN BARTHOLOMEW  
HUMBOLDT COUNTY TAX COLLECTOR

[Signature] DEPUTY DATED 10/24/17  
PRINTED NAME: Shannon Wilson

**CITY ENGINEER'S STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND FIND THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TOTAL MAP, AND ANY APPROVED ALTERATIONS THEREIN, ALL PROVIDED OF THE SURVEYORSHIP MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF THE APPROVAL OF THE TOTAL MAP OF RECORDS HAVE BEEN COMPLIED WITH.

[Signature]  
JESSE J. WELLS, ROE #1744  
CITY ENGINEER  
DATED 11-14-2017



**EASEMENTS DEDICATED HERON**

PARCEL A IS A 24' WIDE NON-COLLUING EASEMENT HEREBY DEDICATED TO THE CITY OF EUREKA FOR PUBLIC USE.

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY THAT THE DEDICATION OF THE EASEMENT OR OTHER INTERESTS IN REAL PROPERTY TO THE CITY OF EUREKA, STATE OF CALIFORNIA, FOR THE PURPOSES AS SHOWN ON THIS PARCEL MAP, IS HEREBY ACCEPTED BY THE OFFICER ON BEHALF OF THE CITY COUNCIL OF THE CITY OF EUREKA, IN ACCORDANCE WITH ORDINANCE 341, ADOPTED JULY 7, 1987, AND THE CHAIRMAN CONSENTS TO REGISTRATION HEREOF BY HIS DAILY AUTHORIZED OFFICER.

[Signature]  
JESSE J. WELLS, ROE #1744  
CITY ENGINEER  
CITY OF EUREKA

DATED 11/04/2017

**COUNTY RECORDER'S STATEMENT**

FILED THIS 23<sup>RD</sup> DAY OF NOVEMBER 2017 AT 10:00 AM IN BOOK 362 OF PARCEL MAPS, AT PARCEL # 36220, HUMBOLDT COUNTY RECORDS AT THE REQUEST OF HUMBOLDT COUNTY.

KELLY E. SANDERS  
HUMBOLDT COUNTY RECORDER

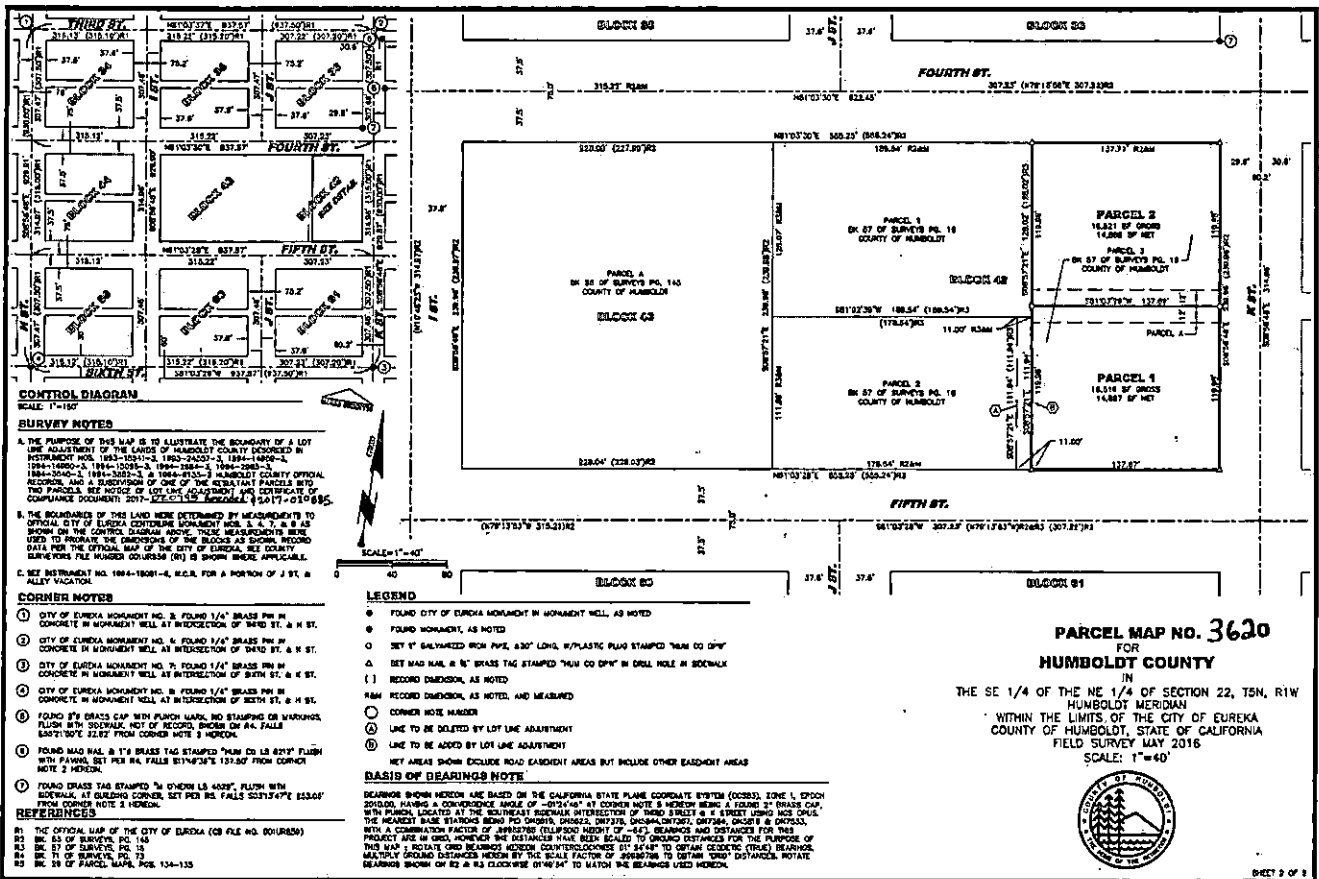
BY [Signature] DEPUTY  
REC-111-20  
INSTRUMENT NO. 2017-021000

**PARCEL MAP NO. 3620**  
FOR  
**HUMBOLDT COUNTY**

IN  
THE SE 1/4 OF THE NE 1/4 OF SECTION 22, T5N, R1W  
HUMBOLDT MERIDIAN  
WITHIN THE LIMITS OF THE CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA  
FIELD SURVEY MAY 2016



SHEET 1 OF 2



**CONTROL DIAGRAM**

SCALE: 1"=100'

**SURVEY NOTES**

- A. THE PURPOSE OF THIS MAP IS TO ILLUSTRATE THE BOUNDARY OF A LOT LINE ADJUSTMENT OF THE LANDS OF HUMBOLDT COUNTY INCORPORATED IN INSTRUMENT NOS. 1883-12211-3, 1883-24203-3, 1884-14808-3, 1884-18800-3, 1884-12008-3, 1884-18848-3, 1884-2980-3, 1884-2040-3, 1884-3283-3 & 1884-8111-3 HUMBOLDT COUNTY OFFICIAL RECORDS, AND A SUBDIVISION OF ONE OF THE RESULTANT PARCELS INTO TWO PARCELS. SEE NOTICE OF LOT LINE ADJUSTMENT AND CERTIFICATE OF COMPLIANCE DOCUMENTS 2017-022000000, HUMBOLDT, 188417-0101885.
- B. THE BOUNDARIES OF THIS LAND WERE DETERMINED BY MEASUREMENTS TO OFFICIAL CITY OF EUREKA CENTERLINE MONUMENT NOS. 1, 4, 7, & 8 AS SHOWN ON THE CONTROL DIAGRAM HEREIN. THESE MEASUREMENTS WERE USED TO PRODUCE THE DIMENSIONS OF THE BLOCKS AS SHOWN. RECORD DATA FOR THE OFFICIAL MAP OF THE CITY OF EUREKA, REE COUNTY SURVEYORS FILE NUMBER 0009338 (R) IS SHOWN WHERE APPLICABLE.
- C. SET INSTRUMENT NO. 1884-18081-6, M.C.R. FOR A PORTION OF J ST. & ALLEY VADATOR.

**CORNER NOTES**

- 1) CITY OF EUREKA MONUMENT NO. 2. FOUND 1/4" BRASS PIN IN CONCRETE IN MONUMENT WELL AT INTERSECTION OF 34TH ST. & H ST.
- 2) CITY OF EUREKA MONUMENT NO. 4. FOUND 1/4" BRASS PIN IN CONCRETE IN MONUMENT WELL AT INTERSECTION OF 34TH ST. & H ST.
- 3) CITY OF EUREKA MONUMENT NO. 7. FOUND 1/4" BRASS PIN IN CONCRETE IN MONUMENT WELL AT INTERSECTION OF 34TH ST. & H ST.
- 4) CITY OF EUREKA MONUMENT NO. 8. FOUND 1/4" BRASS PIN IN CONCRETE IN MONUMENT WELL AT INTERSECTION OF 34TH ST. & H ST.
- 5) FOUND 3/8" BRASS CAP WITH PUNCH MARK, NO STAMPING OR MARKINGS. FLUSH WITH CONCRETE, NOT OF RECORD. BROWN ON W.A. TALLE 8452150'E 22.82' FROM CORNER NOTE 3 HEREON.
- 6) FOUND MAG NAIL & 1" BRASS TAG STAMPED "TAM CO LB 8217" FLUSH WITH PAVEMENT. SET PER W.A. TALLE 8174932'E 131.80' FROM CORNER NOTE 2 HEREON.
- 7) FOUND BRASS TAG STAMPED "M OYENON LB 4827" FLUSH WITH SIDEWALK AT SUDING CORNER. SET PER W.A. TALLE 8237547'E 253.60' FROM CORNER NOTE 3 HEREON.

**REFERENCES**

- R1. THE OFFICIAL MAP OF THE CITY OF EUREKA (CS FILE NO. 0010828)
- R2. BK. 83 OF SURVEYS, PG. 148
- R3. BK. 87 OF SURVEYS, PG. 18
- R4. BK. 7 OF SURVEYS, PG. 13
- R5. BK. 28 OF PARCEL MAPS, PGS. 134-135

**LEGEND**

- FOUND CITY OF EUREKA MONUMENT IN MONUMENT WELL, AS NOTED
- FOUND MONUMENT, AS NOTED
- SET 6" GALVANIZED IRON PIPE, 430' LONG, W/PLASTIC PLUG STAMPED "TAM CO 017"
- SET MAG NAIL & 1" BRASS TAG STAMPED "TAM CO 017" IN DIRT HOLE IN SIDEWALK
- ( ) RECORD DIMENSION, AS NOTED
- MM RECORD DIMENSION, AS NOTED AND MEASURED
- CORNER MARKER
- LINE TO BE DELETED BY LOT LINE ADJUSTMENT
- LINE TO BE ADDED BY LOT LINE ADJUSTMENT

**BASIS OF BEARINGS NOTE**

BEARINGS SHOWN HEREON WERE BASED ON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM (CCSRSS), ZONE 1, SP00N 200000, HAVING A CONVERGENCE ANGLE OF -01°44'45" AT CORNER NOTE 8 HEREON. BEING A FOUND 3/8" BRASS CAP WITH PUNCH MARK LOCATED AT THE SOUTHWEST CORNER INTERSECTION OF THIRD STREET & E STREET USING MCE 0015. THE HIGHEST BASE STATIONS WERE P20 000000, 000000, 000000, 000000, 000000, 000000, 000000, 000000, 000000, 000000. WITH A CORRECTION FACTOR OF .9999999999 (ELLIPSOID HEIGHT OF -5674' BEARINGS AND DISTANCES FOR THIS PROJECT ARE IN GROUND UNLESS OTHERWISE NOTED). DISTANCES HAVE BEEN SCALED TO GROUND DISTANCES FOR THE PURPOSE OF THIS MAP. ROTATE GRID BEARINGS HEREON COUNTERCLOCKWISE 51°45'48" TO OBTAIN GEODESIC (TRUE) BEARINGS. MEASURED GROUND DISTANCES HEREON BY THE SCALE FACTOR OF .9999999999 TO OBTAIN GROUND DISTANCES. ROTATE BEARINGS SHOWN ON R2 & R3 CLOCKWISE 01°46'54" TO MATCH THE BEARINGS USED HEREON.

**PARCEL MAP NO. 3620**  
FOR  
**HUMBOLDT COUNTY**

THE SE 1/4 OF THE NE 1/4 OF SECTION 22, T5N, R1W  
HUMBOLDT MERIDIAN  
WITHIN THE LIMITS OF THE CITY OF EUREKA  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA  
FIELD SURVEY MAY 2016

SCALE: 1"=40'



SHEET 2 OF 2