

RESOLUTION NO. 2019-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA DETERMINING
WHETHER THE COUNTY OF HUMBOLDT'S ACQUISITION AND DEVELOPMENT IN
THE 1000 BLOCK OF 4TH STREET CONFORMS WITH THE CITY OF EUREKA
2040 GENERAL PLAN**

WHEREAS Humboldt County's facilities are spread throughout the City, in both County- and privately-owned structures such as those on Koster Street, the Clark Complex at Harris and H and I Streets, and the motor pool at 2nd and J Streets, in addition to the Courthouse on 5th Street; and

WHEREAS the Superior Court branch of the State Court System leases space from the County in the Courthouse and pursuant to an agreement with the State Courts in 2006, the County is obligated to provide 64 off-street parking spaces for Court staff, County staff, jurors, and the general public. These spaces are currently provided in the gravel lot, to the east of the existing correctional (jail) facility; and

WHEREAS the County of Humboldt is proposing to develop the Humboldt County Community Corrections Reentry Resource Center (HCCRRC) on the gravel parking lot located to the east of the jail facility.

WHEREAS the phased project would result in an approximate 80,000 square foot, multi-story building housing various county government offices and providing structured (sub-grade) parking; and

WHEREAS the HCCRRC project would include a small (44 beds – 28 male, 10 female, and 6 mental health) minimum security in-custody, program-oriented custody unit that focuses on preparing inmates to successfully re-enter society; and

WHEREAS these 44 minimum-security beds would help relieve the Humboldt County Correctional Facility of much needed higher-level security beds to house the shift from inmates previously sentenced to State prison; and

WHEREAS the facility would also house the Sheriff's Work Alternative Program (SWAP), the Probation Day Reporting Center, as well as intense case management, evidence-based programs, mental health, and substance abuse services geared toward reduction of recidivism in Humboldt County; and

WHEREAS the facility will provide offenders the opportunity to transition from an institutional setting to independent and responsible community living. Once the facility is completed, a staffing analysis recommends it be staffed with twenty correctional staff (15 Correctional Deputies and 5 Senior Correctional Deputies); and

WHEREAS the Initial Study prepared for the HCCRRC project indicated there were at least 78 parking spaces located in the gravel lot, and that as many as 68 spaces may be provided in a sub-structure parking facility, although no discussion or analysis was included regarding the 10 spaces that were not being replaced. The City provided

comments on the Initial Study expressing concerns regarding the amount of parking required vs. the amount proposed; and

WHEREAS a number of County facilities are not ADA accessible, and the County has entered into a consent decree which requires retrofitting of all County facilities (leased and owned) to meet ADA standards; and

WHEREAS the County has been working to draft a Facilities Master Plan, with the idea of creating "government complexes" or "campuses" which are ADA compliant, and co-locating their services into "one-stop shops" by locating similar types of uses together; and

WHEREAS construction costs for the HCCRRC facility have continued to increase, and in 2018, the construction costs for one parking space under the HCCRRC facility had increased to approximately \$300,000; and

WHEREAS pursuant to the agreement with the State Courts, the parking in the gravel lot must be replaced prior to beginning construction of the HCCRRC facility; and

WHEREAS the County of Humboldt is proposing to purchase three lots on 4th Street between K and L Streets (APNs 001-174-006, -007, and -008), demolish the existing residential and restaurant buildings currently located on-site, and eventually construct a building to be used for the Humboldt County Administrative Complex (HCAC); and

WHEREAS the HCAC structure would have five or six levels and a maximum height of 100 feet and structured (sub-grade) parking could be provided in the form of a one-story underground parking facility that would accommodate approximately 85 stalls for use by County vehicles, elected officials, and specified upper management positions; and

WHEREAS a County-owned parking lot currently exists, which is accessed from the alley between 3rd and 4th Streets and exits onto 3rd Street, and contains 15 parking spaces and would remain under the proposed project; and

WHEREAS covered parking for up to 25 bicycles would also be provided; and

WHEREAS prior to the acquisition of property and/or construction of public buildings or structures, California Government Code § 65402 (a) and (b) requires the County request a determination from the City of Eureka as to the conformity of the proposed project with the City's adopted 2040 General Plan; and

WHEREAS the report must analyze the location, purpose and extent of the acquisition and development of the site by the County; and

WHEREAS the County is not bound by the City's determination of whether the project is consistent with the City's adopted 2040 General Plan, and could choose to proceed with acquisition of the parcels and development of the HCAC project as they have proposed,

or they could choose to modify the project to become more consistent with the City's General Plan; and

WHEREAS staff analyzed three alternative projects: Alternative 1: At-grade or sub-grade parking lot for 35 spaces only (parking lot); Alternative 2: Parking lot below with an office building complex above (parking lot and building); or Alternative 3: Phased approach with a parking lot only initially, followed by an office building complex above at an unspecified later date (parking now; building later); and

WHEREAS the approximately 0.75-acre site is located at 1001 to 1031 4th Street within the city limits of Eureka, one block east and across Highway 101 from the Humboldt County Courthouse. The site is bordered on the north by an alley, on the south by 4th Street (Highway 101), on the west by K Street, and on the east by L Street; and

WHEREAS the project is located in the City's Downtown Core Area and has a land use designation of Downtown Commercial (DC); and

WHEREAS the DC land use designation allows a mix of retail, restaurants, lodging, entertainment, cultural, and visitor services, offices, and upper floor residential uses; is applied to the bulk of the Core Area, which serves as the traditional business and cultural center for the City; is intended to have a high intensity urban form, retain and enhance Eureka's identity and historic character, and promote a vibrant pedestrian environment; and residential and office uses are primarily allowed only on upper floors and non-street-facing portions of buildings, and only as provided by the applied zoning district; and

WHEREAS the end result of each alternative was analyzed, and because the end result of Alternative 2 and Alternative 3 is a building with substructure parking, the result is the same for these two alternatives; and

WHEREAS due to a lack of maintenance and the general age and condition of the housing units on the site, the housing is substandard; and

WHEREAS the County is not allowed to own property that contains substandard housing, which means, if the County purchases the property, the housing must be demolished; and

WHEREAS existing housing will be lost, and existing tenants will be displaced; therefore none of the 3 alternatives are consistent with the applicable draft goals and policies related to housing; and

WHEREAS, the lot could be undeveloped (vacant) for a shorter period of time with Alternative 1 (parking lot) or 3 (parking now; building later) since a parking lot can be constructed and landscaped relatively quickly; and

WHEREAS although Alternative 3 (parking now; building later) means faster development of the site, for Alternative 2 (parking and building) or Alternative 3 (parking now; building later) building development would perhaps take 3-5 years, or longer; and

WHEREAS Alternative 2 (parking lot and building) could mean an undeveloped lot would exist for 3-5 years, or more, before full development of the lot, which would then be more consistent with the current General Plan goals and policies, could occur; and

WHEREAS, none of the Alternatives are entirely consistent with each applicable goal and policy of the 2040 General Plan; and

WHEREAS, Council could take the stance that if the project is inconsistent with any goal or policy, then the whole project is inconsistent; or Council could weigh the consistent and/or neutral findings against the inconsistent findings; or Council could choose to factor in the merits of both the HCCRRC and HCAC projects, which are ultimately tied to the site on 4th Street.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka, that:

1. Overall, with or without inclusion of the housing-related goals and policies, Alternatives 2 (parking lot and building) and 3 (parking now; building later) are neutral or consistent with more goals and policies than Alternative 1 (parking lot).
2. Providing transitional services for inmates will benefit the community overall, especially by decreasing the rate of recidivation.
3. Creating "government complexes" or "campuses", and co-locating services into "one-stop shops" by locating similar types of uses together is a goal supported by the City of Eureka's 2040 General Plan.
4. The loss of housing is regrettable, and the County should consider on- or off-site replacement housing.
5. The overall benefit of the project for the community is a positive one.
6. Based on the benefit of the project to the community, the result of Alternative 2 (parking lot and building) or Alternative 3 (parking now; building later) conforms with the City of Eureka' General Plan.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 17th day of September, 2019 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

Susan Seaman, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

Greg L. Sparks, City Manager

Robert N. Black, City Attorney