



COUNTY OF HUMBOLDT

For the meeting of: 11/28/2023

File #: 23-1193

To: Board of Supervisors

From: Public Works

Agenda Section: Public Hearing

Vote Requirement: Majority

SUBJECT:

Public Hearing for the Purchase of Real Property Located at 3007 I Street and 3015 I Street, Eureka, California

RECOMMENDATION(S):

That the Board of Supervisors:

1. Open the public hearing;
2. Close the public hearing; and
3. Approve and authorize the Humboldt County Public Works Director, or a designee thereof, to execute the attached real property purchase agreement and joint escrow instructions regarding the real property located at 3007 I Street and 3015 I Street, Eureka, California.

SOURCE OF FUNDING:

Future of Public Health (1175400-005)

DISCUSSION:

On May 10, 2022, the Humboldt County Board of Supervisors authorized the Humboldt County Public Works Director, and designees thereof, to negotiate terms for the purchase of real property located at 3007 I Street and 3015 I Street, Eureka, California with PWM, Inc. and any duly authorized agents thereof, to accommodate the construction of a new Public Health Laboratory.

On March 21, 2023, the Humboldt County Board of Supervisors met in closed session with Connie Beck, Director of Health and Human Resources and Sean Meehan, Deputy Director Facility Management, concerning the price and terms of payment for the real property located at 3007 I Street and 3015 I Street, Eureka, California.

On Oct. 3, 2023, the Humboldt County Board of Supervisors approved the Notice of Intention to Purchase Real Property located at 3007 I Street and 3015 I Street, Eureka, California, as required by California Government Code Section 25350. Subsequently, the Notice was published in the Times-

Standard once a week for three (3) successive weeks, on Oct. 29, Nov. 5 and Nov. 12, 2023, pursuant to California Government Code Section 6063.

This public hearing will give the public an opportunity to respond to the Notice of Intention to Purchase Real Property located at 3007 I Street and 3015 I Street, Eureka, California. Upon completion of the public hearing, and if no objections from the Board of Supervisors as a result of the public hearing, staff is recommending the Board of Supervisors approve and authorize the Humboldt County Public Works Director, or a designee thereof, to execute the attached real property purchase agreement and joint escrow instructions regarding the real property located at 3007 I Street and 3015 I Street, Eureka, California.

The parcels at 3007 and 3015 I Street, Eureka, are mostly unimproved. There is a small, uninhabitable, residential building onsite, which is planned to be demolished by the county. The adjacent property to the east, 3014 J Street, is a former church with four (4) existing pole-mounted cellular antennas (monopoles). Two (2) of these monopoles are 44 feet above ground level (AGL) and were installed prior to 2009. One (1) monopole, 50 feet AGL was installed in 2009. The fourth monopole, 50 feet AGL, was installed in 2013. The monopole installed in 2009 was approved under a discretionary Conditional Use Permit (CUP), which included a Radio Frequency (RF) Study on radiation for all three (3) then existing monopoles on the property (Attachment 4). In October 2010, the City of Eureka adopted Chapter 159 (Wireless Telecommunications Facilities) to the City of Eureka Municipal Code. The monopole installed in 2013 was subject to the requirements of Chapter 159. This monopole was covered by a discretionary CUP, subject to design review by the Planning Commission, and included a variance to reduce the setback on the west side of the property line adjacent to the proposed purchase properties. The 2013 approval also included an RF Study (Attachment 5) which demonstrated that all four (4) monopoles together would be less than 8% of the allowable RF limit established by the Federal Communications Commission (FCC). Another CUP modification in 2017 allowed for a generator onsite to provide emergency power to the monopole that was installed under the 2009 CUP.

To make further modifications to the existing cellular antenna installation, the property owner of 3014 J Street would be required to submit an application for a Wireless Telecommunications Facility per Chapter 159. Depending on the scope of work, the project could be approved by staff or could require another CUP with California Environmental Quality Act (CEQA) design review, and other discretionary requirements. The installation of a new pole would require a new CUP/discretionary permitting process, including an updated RF report by a licensed engineer. Any new poles would be limited to 60 feet AGL or 25 feet above the roof of the building. The owner of 3014 J Street has indicated the possibility of demolishing the existing church building and consolidating the four (4) existing poles into two (2) taller towers. The owner has placed this project on hold. The owner of 3014 J St. has requested a 15-foot-wide access easement on the east side of 3007 and 3015 I Street properties for cell tower maintenance, the legal description of which is included with the real property purchase agreement as Exhibit A. This proposed easement has been reviewed by staff and will be able to be accommodated in the design and operation of the site.

Upon completion of the acquisition process, the proposed properties will be redeveloped into a new, state of the art Public Health Laboratory.

FINANCIAL IMPACT:

Expenditures (Fund, Budget Unit)	FY23-24 Projected
Budgeted Expenses	\$350,000
Total Expenditures	\$350,000
Funding Sources (Fund, Budget Unit)	FY23-24 Projected*
Future of Public Health (1175400-005)	\$350,000
Total Funding Sources	\$350,000

**Projected amounts are estimates and are subject to change.*

Narrative Explanation of Financial Impact:

The estimated cost to acquire the real property located at 3007 and 3015 I Street, Eureka, including staff time and consultant fees, is \$350,000. DHHS-Public Health has secured funding that will fund the purchase, design and a portion of the construction and equipment costs of the facility through the Future of Public Health allocation from the California Department of Public Health. Additional costs may be necessary and will be obtained through additional grant sources and/or the Public Health fund (1175). Funding for staff time to negotiate terms of the purchase, as well as purchase of the of the property itself, has been included in the proposed fiscal year 2023-24 budget for DHHS-Public Health Laboratory budget unit 1175400-005. As a result, the recommended action will not impact the Humboldt County General fund.

STAFFING IMPACT:

The proposed property acquisition itself will not impact staffing. Staffing impacts due to future design, construction, and operation of a new public health lab will be addressed in subsequent agenda items.

STRATEGIC FRAMEWORK:

This action supports your Board’s Strategic Framework priority of providing for and maintaining infrastructure.

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached real property purchase agreement and joint escrow instructions regarding the real property located at 3007 I Street and 3015 I Street, Eureka, California. However, this is not recommended as it would not allow for the development of a new public health lab. The current public health lab is in poor condition and needs to be replaced as soon as possible.

ATTACHMENTS:

- Attachment 1 - Appraisal
- Attachment 2 - Title Report
- Attachment 3 - Real Property Purchase Agreement

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Attachment 4 - 2009 RF Study

Attachment 5 - 2013 RF Study

Attachment 6 - Notice of Intent to Purchase 3007-3015 I St

PREVIOUS ACTION/REFERRAL:

Board Order No.: D19, L3, D24

Meeting of: 5/10/2022, 3/21/23, 10/3/23

File No.: 22-548, 22-358, 23-1178