



## COUNTY OF HUMBOLDT

AGENDA ITEM NO.

H-4

For the meeting of: January 20, 2015

Date: December 30, 2014  
To: Board of Supervisors  
From: Phillip Smith-Hanes, County Administrative Officer *PSH*  
Subject: Resolution Regarding Commitment of Land to Build a New Courthouse for the Superior Court of California, County of Humboldt

### RECOMMENDATION(S):

That the Board of Supervisors approves the attached Resolution and directs staff to forward it to the Superior Court for transmittal to the Judicial Council of California.

SOURCE OF FUNDING: Not applicable.

### DISCUSSION:

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.

Prepared by Phillip Smith-Hanes

CAO Approval

*Emily Olsen*

### REVIEW:

Auditor County Counsel *WBC*

Human Resources

Other

### TYPE OF ITEM:

☐ Consent  
☒ Departmental  
☐ Public Hearing  
☐ Other

### PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

### BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Bohn* Seconded by Supervisor *Bass*

Ayes *Sundberg, Lovelace, Fennell, Bohn, Bass*  
Nays  
Abstain  
Absent

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

Dated: *Jan 20, 2015*

By: *Kathy Hayes*

Kathy Hayes, Clerk of the Board

At this time, staff recommends that your Board 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. It is hoped that this will be viewed by the state as an “economic opportunity” sufficient to move the local courts into a priority position for new construction.

Construction of a new courthouse would not only serve the needs of the courts, but would benefit the county by minimizing the cost of transporting in-custody individuals to criminal court appearances and by freeing up space in the existing courthouse building to accommodate county offices that are currently located in leased spaces or substandard conditions.

#### FINANCIAL IMPACT:

There is no impact to passage of the resolution. If the state accepts the county’s offer, there would be a cost associated with surveying the lot and recording the lot split and transfer of title. This cost would be minimal in comparison to the ongoing cost of transporting in-custody individuals should the state decide to construct court facilities at a different location.

The recommended action supports your Board’s Strategic Framework as a new initiative that is a proactive decision to partner to promote quality services through seeking outside funding sources to benefit Humboldt County needs and through building interjurisdictional and regional cooperation.

OTHER AGENCY INVOLVEMENT: Superior Court of California, County of Humboldt

#### ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to adopt the attached resolution. This would leave the county and the local courts in a state of uncertainty regarding future use of the vacant lot and the location of future court facilities.

#### ATTACHMENTS:

1. Resolution



**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