



COUNTY OF HUMBOLDT

Legislation Text

File #: 22-1693, Version: 1

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

1017 4th Street Escrow Extension

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve Addendum No. 1 of the Purchase Agreement and Joint Escrow Instructions for the proposed purchase of 1017 4th Street; and
2. Authorize Director of Public Works to execute and date Addendum No. 1.

SOURCE OF FUNDING:

2020 Finance Plan

DISCUSSION:

On July 22, 2022, the Humboldt County Board of Supervisors (Board) authorized the Public Works Director, and designee thereof, to negotiate terms for the purchase of real property located at 1017 Fourth Street, Eureka, California with Gerald and Belinda Rush and duly authorized agents thereof.

On Sept. 27, 2022, the Board met in closed session, with Elishia Hayes, County Administrative Officer, and Sean Meehan, Deputy Director Facility Management, concerning the price and terms of payment for the real property located at 1017 Fourth Street, Eureka, California.

On Oct. 4, 2022, the Board approved the real property purchase agreement and joint escrow instructions regarding real property located at 1017 Fourth Street, Eureka, California, and the Notice of Intention to Purchase Real Property located at 1017 Fourth Street, Eureka, California. Subsequently, the Notice was published in the Times Standard once a week for 3 successive weeks, on Oct. 9, 2022, Oct. 16, 2022, and Oct. 23, 2022, pursuant to California Governmental Code Section 6063.

On Oct. 19, 2022, the purchase agreement was signed by the seller, starting the 90-day escrow period with closure on Jan. 19, 2023.

On Nov. 1, 2022, the Board held a public hearing for the public to respond to the Notice of Intention to

Purchase Real Property located at 1017 Fourth Street, Eureka, California with questions and concerns regarding the County of Humboldt's intent to purchase the property.

Staff is requesting your Board to approve Addendum No. 1 that extends the escrow period to March 10, 2023. This extension will allow more time for the City of Eureka to complete a determination of whether the proposed County of Humboldt purchase of Real Property located at 1017 Fourth Street, Eureka, California conforms with the City's 2040 General Plan in accordance with California Government Code Section 65402 (b).

FINANCIAL IMPACT:

A nonrefundable \$25,000 deposit is required pursuant to the Purchase Agreement to extend escrow, and will be obtained from the 2020 Finance Plan to purchase of the real property located at 1017 Fourth Street, Eureka, California.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by providing for and maintaining infrastructure.

OTHER AGENCY INVOLVEMENT:

City of Eureka

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The other alternative to not extending escrow is cancellation of the Purchase Agreement and determination of new negotiations should occur.

ATTACHMENTS:

1. Real Property Purchase Agreement
2. Addendum No. 1

PREVIOUS ACTION/REFERRAL:

Board Order No.: C1, L1, J2

Meeting of: 7/22/22, 9/27/22, 10/04/22, 11/01/22

File No.: 22-966, 22-1262, 22-953, 22-1344