



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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Type: Informational Report **Status:** Passed
File created: 12/5/2019 **In control:** Public Works
On agenda: 1/28/2020 **Final action:** 1/28/2020
Title: Resolution of Intent to Sell Real Property, APN 015-111-008, 2769 Lucas Street, Eureka

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Site Map and Legal Description, 3. Exhibit B - Title Report.pdf, 4. Exhibit C - Parcel Map No. 1046.pdf, 5. Exhibit D Notice of Planning Commission Decision.pdf, 6. Exhibit E - Notice of Exemption.pdf, 7. Attachment 6- Resolution of Intent to Sell Real Property.pdf, 8. Resolution 20-09

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 1/28/2020 | 1 | Board of Supervisors | approved | Pass |

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Resolution of Intent to Sell Real Property, APN 015-111-008, 2769 Lucas Street, Eureka

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt Resolution No. _____, setting the minimum bid at \$375,000 for APN 015-111-008, 2769 Lucas Street, Eureka and setting a public meeting date for February 25, 2020, at 9:00 a.m. to receive sealed and oral proposals for purchase of real property pursuant to Government Code section 25526;
2. Direct the Clerk of the Board to publish the resolution once a week for three (3) successive weeks pursuant to Government Code section 6063;
3. Direct Humboldt County Public Works (Public Works) to post said resolution in accordance with Government Code section 25528;
4. Direct Public Works to submit said resolution to the Housing and Community Development Website on January 30, 2020, in accordance with Assembly Bill 1486;
5. Direct Public Works to prepare a Resolution of Acceptance; and
6. Direct the Clerk of the Board to return one (1) executed Resolution of Intent to Sell to Real Property.

SOURCE OF FUNDING:

General Fund (1100)

DISCUSSION:

Parcel Number 015-111-008, located at 2769 Lucas Street, Eureka, was purchased by the county on April 11, 1916, for the purpose of expanding the use of the old County Hospital. A map is attached showing the subject property (Exhibit A - Site Map and Legal Description). The property was never developed.

On June 25, 1985, the Board of Supervisors declared the county's property on Lucas Street as surplus and directed that the item come back to the Board at a future date to determine whether the parcel should be sold as is or be developed and then sold.

Various Housing Feasibility Studies and Environmental Site Assessments were performed to determine if the county's property on Lucas Street could be used as an affordable housing project site. A final determination was made by the Board on January 23, 2018, directing staff to appraise and sell the Lucas Street property and distribute the proceeds from the property sale to a trust fund for an affordable housing project.

On April 20, 2018, a Preliminary Title Report was obtained for 2769 Lucas Street, Eureka (Exhibit B - Title Report). The report indicates on Parcel Map No. 1046 there is are encroachments of a house and shed Parcel Number 015-111-008, located at 2769 Lucas Street, Eureka, was purchased by the county on April 11, 1916, for the purpose of expanding the use of the old County Hospital. A map is attached showing the subject property (Exhibit A - Site Map and Legal Description). The property was never developed.

On June 25, 1985, the Board of Supervisors declared the county's property on Lucas Street as surplus and directed that the item come back to the Board at a future date to determine whether the parcel should be sold as is or be developed and then sold.

Various Housing Feasibility Studies and Environmental Site Assessments were performed to determine if the county's property on Lucas Street could be used as an affordable housing project site. A final determination was made by the Board on January 23, 2018, directing staff to appraise and sell the Lucas Street property and distribute the proceeds from the property sale to a trust fund for an affordable housing project.

On April 20, 2018, a Preliminary Title Report was obtained for 2769 Lucas Street, Eureka (Exhibit B - Title Report). The report indicates on Parcel Map No. 1046 there is are encroachments of a house and shed into the county's property along its easterly boundary line (Exhibit C - Parcel Map No. 1046). The owner of the house and shed agreed to work with the county to perform a lot line adjustment to remove the encroachments. The owner and county later agreed to forgo the lot line adjustment by having the owner remove the house and shed from the county's property by December of 2019. The owner now indicates his unwillingness to perform the removal of the encroachments. Staff recommends the sale of the Lucas Street property as-is and disclose the encroachments. The encroachment structure has been unoccupied since October of 2019.

On July 10, 2018, notification letters to other governmental agencies were submitted pursuant to Government Code section 54222(f), asking for intent to purchase. The agencies had sixty (60) days to respond. Two (2) responses were received. The Department of Fish and Wildlife responded with a question as to what would happen to the natural creeks and streams in the parcel. Staff response was the new owner(s) would be subject to all laws if they were to develop the parcel. The City of Eureka commented that they were not interested in the purchase.

In preparation of the sale of this property, the Public Works Roads Division contracted with John Shelter for removal of unauthorized campsites. In August of 2019, Mr. Shelter and his volunteers, at the request of Public Works, proceeded with removal of several unauthorized campsites and cleanup of the parcel. There were no biohazardous materials found within these unauthorized campsites. Mr. Shelter subsequently assisted these individuals by providing shelter assistance information. There was a total of four (4) instances of removing homeless campsites within the period of August to December of 2019.

On October 3, 2019, the Humboldt County Planning Commission approved a General Plan Conformance review for the disposal of the property at 2769 Lucas Street (Exhibit D - Notice of Planning Commission Decision). A condition of the approval provides the successor-in-interest of the county parcel be subject to Government Code Section 54233 should the county parcel be developed for housing. This Section requires a percentage of units be set aside for housing that is affordable, lower income, and the Qualified (Q) combining zone established by Humboldt County Ordinance No. 2472 limits the principally permitted uses to multifamily housing with all other uses subject to a Use Permit.

Staff reviewed the proposed sale of the surplus real property under California Environmental Quality Act guidelines. Under Government Code section 15312, a categorical exemption was determined, and a Notice of Exemption was issued (Exhibit E- Notice of Exemption).

Staff is requesting that your Board authorize publication and posting of a Resolution of Intention to Sell Real Property on an as-is basis to disclose the encroachments of the house and shed (Attachment 6 - Resolution of Intent to Sale Real Property) and development requirements. After publishing and posting the Resolution of Intention to Sell Real Property, staff will return to your Board to open any sealed bids received pursuant to Government Code section 25530. Before accepting any written proposals, the Board shall call for oral bids pursuant to Government Code section 25531. The Board will be asked to accept or reject a written or oral proposal pursuant to Government Code section 25533. If the Board accepts a written or oral proposal, staff recommends adjourning the meeting for at least one week to finalize the Resolution of Acceptance and address the escrow details.

On October 9, 2019, Governor Newsom signed Assembly Bill 1486, (Ting, 2019) Surplus Land. The new law aims to connect developers who are interested in building more affordable homes to publicly owned land that is both available and suitable for housing development. Effective January 1, 2020, the county will be required to send notices of availability to publiclands@hcd.ca.gov pursuant to Assembly Bill 1486. The staff is requesting that your Board authorize submittal of the Resolution of Intent to Sale Real Property to the website.

FINANCIAL IMPACT:

Costs for selling the parcel is approximately Fourteen Thousand Dollars (\$14,000). These costs consist of an appraisal, Preliminary Title Report, publishing of Notice of Intent to Sell Real Property, unauthorized campsite clean-up fees, escrow fees, and county costs. These costs were appropriated from the General Fund (1100) and will be refunded from the proceeds of the sale of the parcel.

The remaining proceeds of the sale will be distributed in a trust account for an affordable housing project.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by managing our resources to ensure sustainability of services and providing for and maintaining infrastructure

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose to not adopt the Resolution of Intent to Sell Real Property, and therefore not sell the parcel. This is not recommended as this property has remained undeveloped without county use and is a liability with unauthorized campsites and waste. Selling the lands will create funds that will benefit a trust fund for affordable housing.

ATTACHMENTS:

Exhibit A - Site Map and Legal Description
Exhibit B - Title Report
Exhibit C - Parcel Map No. 1046
Exhibit D- Notice of Planning Commission Decision
Exhibit E - Notice of Exemption
Attachment 6 - Resolution of Intent to Sell Real Property

PREVIOUS ACTION/REFERRAL:

Board Order No.: 42, I-2
Meeting of: 6/25/85, 1/23/18
File No.: N/A