



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

L-3

For the meeting of: **June 14, 2016**

Date: May 27, 2016

To: Board of Supervisors

From: Code Enforcement Unit, County Counsel's Office  
Blair Angus, Assistant County Counsel

Subject: Cost Recovery Assessment Hearing  
Russell Papstein, 4181 Weiler Road, Eureka, California  
AP# 019-161-021

RECOMMENDATION(S):

That the Board of Supervisors, pursuant to Humboldt County Code sections 351-33 through 351-44:

1. Open the Public Hearing for discussion of the Cost Recovery Assessment for 4181 Weiler Road, Eureka.
2. Close the Public Hearing for the Cost Recovery Assessment for 4181 Weiler Road, Eureka.
3. Confirm the Findings and Orders Confirming Account and Assessment in the sum of five thousand three hundred twenty dollars and thirty-three cents (\$5,320.33);
4. Authorize the Chair of the Board to sign the Findings and Order Confirming the Account and Assessment;
5. Direct the Auditor, upon receipt of the monies assessed, to deposit the money used for the administrative abatement, consisting of three thousand fifty-seven dollars and sixty-seven cents

Prepared by Jeff Conner/Teri Gridley

CAO Approval [Signature]

REVIEW: Auditor MM County Counsel BA Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor Fennell Seconded by Supervisor Sundberg

Ayes Sundberg, Fennell, Lovelace, Bohn

Nays \_\_\_\_\_

Abstain \_\_\_\_\_

Absent Bass

PREVIOUS ACTION/REFERRAL:

Board Order No. K-3 and C-11

Meeting of: July 14, 2015, and December 8, 2015

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

Dated: June 14, 2016

By: [Signature]

Kathy Hayes, Clerk of the Board

(\$3,057.67), back into the Code Enforcement Trust Fund account number 3440000;

6. Direct the Auditor, upon receipt of the monies assessed, to deposit two thousand two hundred and sixty-two dollars and sixty-six cents (\$2,262.66) into the County Counsel Office revenue account number 1100-121-603-040 to recoup Code Enforcement staff time, mileage and office expenses incurred enforcing the Humboldt County Code in this matter.

SOURCE OF FUNDING:

General funds were used to prepare this agenda item.

DISCUSSION:

Pursuant to Humboldt County Code (HCC) section 351-41, this matter is before your Board to hear and consider confirming the account and proposed assessment, together with any objections and protests, of the administrative abatement ordered by your Board on July 14, 2015, for the property known as 4181 Weiler Road, Eureka, California (AP# 019-161-021). The clean-up has been completed and the property owner has been served with a Cost Recovery Assessment of the charges incurred by the County in completing the abatement of the nuisance on the subject property as required by HCC 351-33.

The Code Enforcement Unit (CEU) brought this matter before your Board on July 14, 2015, as a noticed nuisance abatement hearing. After receiving written and oral testimony, your Board found that the conditions on the property were a public nuisance and ordered the owner to abate the violations within 30 days. The owner did not make a significant effort to abate the violations on the property. On December 8, 2015, the CEU brought this matter back before your Board to authorize the transfer of the funds necessary to complete the abatement. Your Board approved the transfer of \$3,500. The total amount expended completing the abatement was \$3,057.67. The remaining funds were returned to the Code Enforcement Trust Fund on May 10, 2016.

The abatement commenced on March 4, 2016 when a Sheriff's Work Alternative Program (SWAP) crew loaded three refuse bins with solid waste and trash. The CEU made additional trips to the property to remove additional solid waste that had been set aside and/or was removed from the bins. The abatement was completed on March 23, 2016, by removing the two remaining junk vehicles.

A breakdown of the costs for the abatement are as follows:

Hauling and disposal of vehicles by John's Used Cars and Wreckers	\$215
Disposal of solid waste and waste tires by Humboldt Waste Management Authority	\$277.17
Disposal of e-waste by Humboldt Waste Management Authority	\$3.75
Disposal of solid waste by Recology	\$2,561.75
Total for contractors and other agencies	----- \$3,057.67

The breakdown of CEU costs are as follows:

Attorney time	\$254.50
Investigator time	\$1,909.50
Secretarial time	\$51.00
Mileage Costs	\$34.22
Office Costs	\$13.44
	-----
Total for CEU expenditures	\$2,262.66

The abatement, staff, mileage, and office costs are further broken down in the Notice of Assessment, which is attached as Attachment 1.

The total proposed account and assessment is five thousand three hundred twenty dollars and thirty-three cents (\$5,320.33). We respectfully ask that your Board confirm the Findings and Orders Confirming Account and Assessment for the entire \$5,320.33 requested.

FINANCIAL IMPACT:

If the proposed account and assessment is denied or reduced by the Board, the County must absorb the cost of abatement up to the total of \$5,320.33.

The assessment will support the Board of Supervisors' Core Roles of enforcing laws and regulations to protect residents and creating opportunities for improved safety and health.

OTHER AGENCY INVOLVEMENT:

None.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could make modifications and revisions to the proposed account and assessment or deny the account and assessment. Neither of these alternatives is recommended by staff as the County would then bear the costs of the abatement as well as the staff time to enforcement the County Code on the subject property.

ATTACHMENTS:

- Attachment 1: Notice of Assessment
- Attachment 2: Findings and Order Confirming Account and Assessment
- Attachment 3: Before and after pictures of the property

# Attachment 1



**COUNTY OF HUMBOLDT**

CODE ENFORCEMENT UNIT

**DAVINA SMITH**

Deputy County Counsel

825 Fifth Street, Room 110

Eureka, California 95501

(707) 476-2429

**NOTICE OF ASSESSMENT**

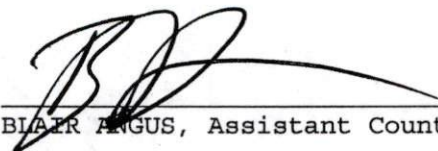
To: Russell Papstein  
4181 Weiler Road  
Eureka, CA 95503

**NOTICE IS HEREBY GIVEN** that the undersigned has completed abatement of the nuisance condition(s) on the property located at 4181 Weiler Road, Eureka, California, known as A.P. No. 019-161-021, under authority of section 351-25 of the Humboldt County Code. Attached is a cost recovery assessment which specifies the work done, including an itemized account of the costs and receipts for performing the abatement, and the total amount of the assessment to be levied against the property, to wit, \$5,320.33.

**NOTICE IS FURTHER GIVEN** that on June 14, 2016, at the hour of 1:30 p.m., or as soon thereafter as the matter can be heard before the Humboldt County Board of Supervisors, located in the Supervisors' Chambers, County Courthouse Building, 825 5th Street, Eureka, California, the undersigned will submit the assessment to the Board for confirmation, and will request that the costs of such abatement shall become a charge against the premises and shall be made a special assessment against the premises; that such special assessment may be collected at the same time and in the same manner as is provided for the collection of ordinary county taxes; and shall be subject to the same penalties, interest, under the same procedure for foreclosure and sale in the case of delinquency as is provided for in ordinary county taxes.

**NOTICE IS FURTHER GIVEN** that at said time and place the Board will hear and consider any objections and protests to the assessment. You may appear with an attorney or other representative, call and cross-examine witnesses, and present evidence on your behalf.

Dated: May 27, 2016

  
\_\_\_\_\_  
BLAIR ANGUS, Assistant County Counsel

A.P. No. 019-161-021

Code Enforcement Unit  
**COUNTY OF HUMBOLDT**  
 825 Fifth Street, Eureka, CA 95501  
 [707] 476-2429

# COST RECOVERY ASSESSMENT

Name: **Russell Papstein**  
 Address: 4181 Weiler Road  
 Eureka, CA 95503  
 A.P.# 019-161-021  
 File # 11CEU037  
 Location: **4181 Weiler Road**  
**Eureka, CA 95503**

Date	Staff/ Vendor	Staff Time Description	Hours/10ths	Cost
6/25/2015	JC	Prepared Notice to Abate	0.25	\$17.00
6/26/2015	DS	Reviewed and signed Notice to Abate	0.25	\$31.75
6/26/2015	TG	Mailed Notice to Abate	0.25	\$12.75
6/29/2015	JC	Prepared abatement agenda item	1.00	\$68.00
6/30/2015	DS	Reviewed abatement agenda item	0.25	\$31.75
7/8/2015	TG	Prepared Exhibit Packet	0.50	\$25.50
7/8/2015	DS	Reviewed & Signed Exhibit Packet	0.25	\$31.75
7/13/2015	JC	Prepared for Board hearing	1.00	\$68.00
7/14/2015	JC	Board hearing	0.50	\$34.00
7/14/2015	DS	Board hearing	0.50	\$63.50
7/16/2015	TG	Mailed Findings & Orders of Abatement	0.25	\$12.75
7/17/2015	JC	Posted Findings and Orders of Abatement	0.50	\$34.00
8/20/2015	JC	Inspection	0.50	\$34.00
10/20/2015	JC	Inspection	0.50	\$34.00
10/20/2015	JS	Reviewed case	0.25	\$31.75
11/22/2015	JC	Prepared funding agenda item	1.00	\$68.00
11/22/2015	JS	Reviewed agenda item	0.25	\$31.75
2/26/2016	JC	Prepared abatement warrant	1.50	\$103.50
2/26/2016	JS	Reviewed Abatement Warrant	0.25	\$32.25
2/29/2016	JC	Posted abatement warrant- removed stolen vehicle	1.50	\$103.50
3/4/2016	JC	Abatement	6.50	\$448.50
3/4/2016	BA	Abatement	4.00	\$276.00
3/7/2016	JC	Abatement	3.00	\$207.00
3/7/2016	BA	Abatement	3.00	\$207.00
3/23/2016	JC	Abatement	3.00	\$207.00
SUB-TOTAL - Staff Time				<b>\$2,215.00</b>

<b>Date</b>	<b>Staff</b>	<b>Mileage Distance</b>	<b>Rate</b>	<b>Cost</b>
7/17/2015	JC	7	0.575	\$4.03
8/20/2015	JC	7	0.575	\$4.03
10/20/2015	JC	7	0.575	\$4.03
2/29/2016	JC	7	0.54	\$3.78
3/4/2016	JC	7	0.54	\$3.78
3/4/2016	BA	7	0.54	\$3.78
3/7/2016	JC	10	0.54	\$5.40
3/23/2016	JC	10	0.54	\$5.40
SUB-TOTAL - Mileage				<b>\$34.22</b>

**Contractors and Other Agencies**

**CONTRACTORS:**

3/7/2016	Humboldt Waste Management - Ewaste	\$3.75
3/7/2016	Humboldt Waste Management - Tires	\$277.17
3/25/2016	John's Used Cars & Wreckers	\$215.00
3/4-3/5/2016	Recology - 3 dumpsters	\$2,561.75
SUB-TOTAL - Contractors and Other Agencies		<b>\$3,057.67</b>

<b>Date</b>	<b>Office Costs Description</b>	<b>Amount</b>
6/26/2015	Certified Mail for Notice to Abate	\$6.72
7/16/2005	Certified Mail for Findings & Order of Abatement	\$6.72
SUB-TOTAL - Office Cost		<b>\$13.44</b>
<b>TOTAL</b>		<b>\$5,320.33</b>

Papstein  
Ewaste

hwma

B



3/7/2016

Tran No 190059

4:29:53 PM

HUMBOLDT WASTE MANAGEMENT AUTHORITY

1059 W.HAWTHORNE ST  
EUREKA, CA 95501

OPEN 7 DAYS A WEEK RC-14862

Seller ID  
DriverLic

PAID BY C Veh Plate

Material					
Gross	Tare	Net	\$/Lb	Shk%	Amount
FLAT SCREEN					
1.0	0.0	1.0	-2.000	0.0	(\$2.00)
EWASTE					
35.0	0.0	35.0	-0.050	0.0	(\$1.75)
Total Payment			<b>(\$3.75)</b>		

WEIGHT MASTER CERTIFICATE - THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

**(\$3.75)**

Seller's Signature

PRINT NAME

Weight Master TYLER EGERER

Deputy Tyler

**THANK YOU.**

PAID BY CASH (\$3.75)



HUMBOLDT WASTE MANAGEMENT AUTH  
 1059 W HAWTHORNE ST  
 EUREKA CA 95501  
 (707) 268-8680

# STATEMENT

Printed 04/01/16

DATE	PAGE
03/31/16	1

HUMBOLDT COUNTY CODE ENFORC  
 HUMBOLDT COUNTY COURTHOUSE  
 825 FIFTH STREET, ROOM 110  
 EUREKA CA 95501

AMOUNT DUE	AMOUNT PAID
277.17	

ACCOUNT NO.
20770

DETACH AND RETURN TOP PORTION WITH REMITTANCE

DATE	TICKET	VEHICLE	REFERENCE	DESCRIPTION	QUANTITY	AMOUNT
02/29/16				Balance Forward		0.00
03/07/16	03-744579		12WHT150	Solid Waste Franchis	0.46	59.34
03/07/16	03-744579		12WHT150	PASSENGER TIRES ON R	13.00	84.50
03/07/16	03-744579		12WHT150	TIRES, PASSENGER	5.00	26.25
03/23/16	03-748947		JOHNS	Solid Waste Franchis	0.61	78.70
03/23/16	03-748952		14BLK150	Solid Waste Franchis	0.22	28.38
				Current charges		277.17
				Total balance due		277.17

*Papstein*

ACCOUNT NO.	1-30	31-60	61-90	OVER 90	AMOUNT DUE
20770	277.17	0.00	0.00	0.00	277.17

# John's Used Cars & Wreckers

3008 Jacobs Ave

Dismantler # 45649

EUREKA, CA 95501

(707) 443-7065 Fax: (707) 443-2551

Reference Number	Date
173796	3/25/2016 14:07
PO Number	CustomerNumber
	4457505

S O L D T O	HUMB. CO. SHERIFF DEPT. ABANDONED VEHICLE DEPT. 826 FOURTH ST. EUREKA, CA 955011172 JEFF CONNOR 845-3174	S H I P T O	JEFF CONNER CODE ENFORCEMENT UNIT
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Salesperson	Order Type	Tax ID/Code	Ship Via	Page
1 - 1 RVF	COUNTER DUPLICATE	CA/N		1

Quantity	Description	Unit Price	Ext Price
1	800.GM2K78 1U-TOWING FEE; Stk# C60407 <i>Papstein</i> VIN# 2W8776N526890; FILE #16-CEU003 ; Requested:1978 TRANS-AM ; W:13483 TOWED FROM 4101 WEILER RD, EUREKA	\$40.00	\$40.00
1	801.GM2K78 1U-DISPOSAL FEE; Stk# C60407 <i>Papstein</i> VIN# 2W8776N526890; FILE #16CEU-003- DISPOSAL FEE ; Requested:1978 TRANS-AM ; W:13483	\$75.00	\$75.00
1	800.XXX 1U-TOWING FEE; Stk# NOF <i>Papstein</i> FILE #16-CEU0003-TOW TRASH TRAILER ; W:13483 REMOVE TRASH TRAILER FROM 4101 WEILER RD. AND DISPOSE OF AT HWMA- 1 HOUR TRUCK FEE	\$100.00	\$100.00
1	<del>800.NZ1390 1U-TOWING FEE; Stk# NOF VIN# 2W8776N526890; FILE #16-CEU003-TOW FROM WALKER RD ; Requested:1978 TRANS-AM ; W:13483</del>		

*Extra  
1/8*

Notes:

Payment Totals	Payment Notes:	Totals
Charge		Freight
Cash		Discount
Check		Taxable
Credit Card		Non Tax
Debit Card		Total Tax
PayPal		

Received by: Invoice Amt **Continued**

**John's Used Cars & Wreckers**  
 3008 Jacobs Ave  
 Dismantler # 45649  
 EUREKA, CA 95501  
 (707) 443-7065 Fax: (707) 443-2551

Reference Number	Date
173796	3/25/2016 14:07
PO Number	CustomerNumber
	4457505

S O L D T O	HUMB. CO. SHERIFF DEPT. ABANDONED VEHICLE DEPT. 826 FOURTH ST. EUREKA, CA 955011172 JEFF CONNOR 845-3174	S H I P T O	JEFF CONNER CODE ENFORCEMENT UNIT
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Salesperson	Order Type	Tax ID/Code	Ship Via	Page
1 - 1 RVF	COUNTER DUPLICATE	CA/N		2

Quantity	Description	Unit Price	Ext Price
1	801. [REDACTED] VIN# JM1BG2260L0186273; FILE #16CELETT DISPOSAL FEE ; Requ [REDACTED] <i>JV</i>		

Notes:

**Thank You for your Purchase!**

Payment Totals		Payment Notes:	Totals	
Charge	\$330.00		Freight	
Cash			Discount	
Check			Taxable	\$0.00
Credit Card			Non Tax	\$330.00
Debit Card			Total Tax	\$0.00
PayPal				

Received by: Invoice Amt **\$330.00**

Recology Humboldt County  
 949 W Hawthorne St  
 Eureka CA 95501-2128

# STATEMENT

PLEASE RETURN THIS PORTION WITH  
 CHECK IN THE ENVELOPE PROVIDED

LOCATION: 4181 WEILER RD

Account No. Order No. Type Franchise  
 A0060028373 22 CA EOC

STATEMENT DATE	3/31/2016
CURRENT CHARGES	2561.75
BALANCE DUE	\$ 2561.75
STATEMENT NUMBER	41623

HUMBOLDT COUNTY CODE ENFORCMNT  
 825 5TH ST, ROOM 110  
 EUREKA CA 95501

Recology Humboldt County  
 949 W Hawthorne St  
 Eureka CA 95501-2128

RECEIVED

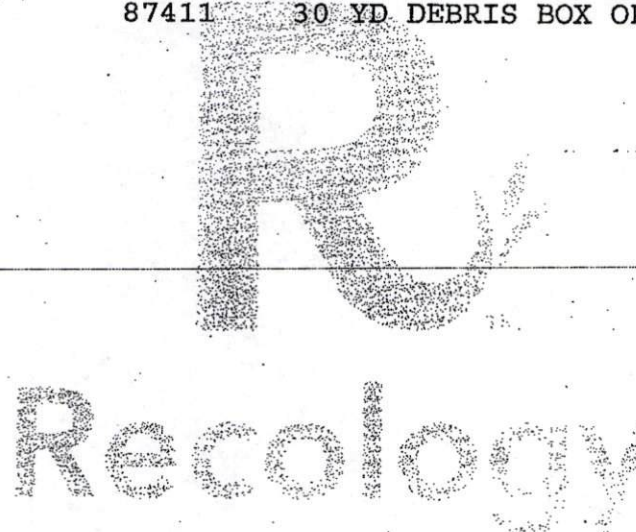
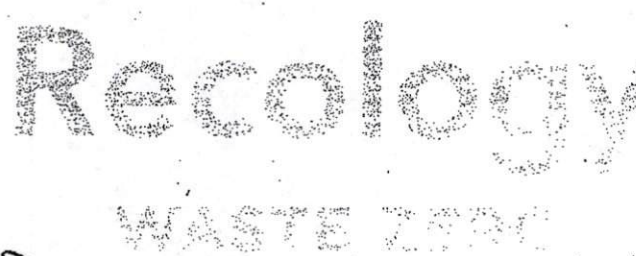
APR 04 2016

PURCHASING

SERVICE LOCATION: 4181 WEILER RD

KEEP THIS PORTION FOR YOUR RECORDS  
 BILLING QUESTIONS CALL: 707-442-5711

Statement No. 41623 Account No. A0060028373 Order No. 22

DATE	W/O#	STATEMENT OF TRANSACTIONS	AMOUNT DUE	
3/07/15		ADJUST 30YD TO 20YD DIFF	75.10-	
3/04/16	87405	30 YD DEBRIS BOX OPEN	834.38	
3/05/16	87410	30 YD DEBRIS BOX OPEN	834.38	
		EXCESS WEIGHT IN 7,960LBS TTL	133.71	
3/05/16	87411	30 YD DEBRIS BOX OPEN	834.38	
				
				
<i>Rapstein</i>				
CURR	30 DAYS	60 DAYS	90+ DAYS	TOTAL
\$ 2561.75	\$ 0.00	\$ 0.00	\$ 0.00	\$ 2561.75

CURRENT CHG DUE 04/29. IF PAST DUE, FINANCE CHG (1.5%/MO) & STOP SERVICE  
 Recology Humboldt County  
 949 W Hawthorne St  
 Eureka CA 95501-2128

CREDIT LIMIT: \$500.00  
 NORMAL TERMS: NET 30  
 FINANCE CHARGE APR: 18.00%



# INVOICE

INVOICE DATE 3/31/2016

INVOICE NUMBER 63516

PAGE NUMBER 1

CUSTOMER NUMBER A0060028373

ORDER NUMBER 22

TOTAL AMOUNT DUE \$ 834.38

PURCHASE ORDER #

SERVICE LOCATION

4181 WEILER RD

REMIT TO:

Recology Humboldt County

949 W Hawthorne St

Eureka CA 95501-2128

RECEIVED

APR 04 2016

PURCHASING

Recology Humboldt County  
949 W Hawthorne St  
Eureka CA 95501-2128

707-442-5711

HUMBOLDT COUNTY CODE ENFORCMNT  
825 5TH ST, ROOM 110  
EUREKA CA 95501

PLEASE RETURN TOP PORTION WITH YOUR PAYMENT

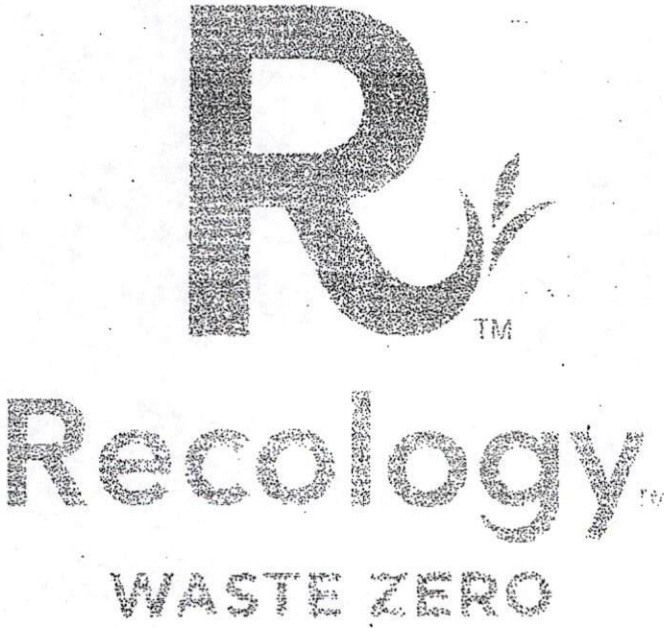
KEEP THIS PORTION FOR YOUR RECORDS

INV#: 63516 ACCT#: A0060028373 ORD#: 22  
4181 WEILER RD

HUMBOLDT COUNTY CODE ENFORCMNT  
825 5TH ST, ROOM 110  
EUREKA CA 95501

Recology Humboldt County  
949 W Hawthorne St  
Eureka CA 95501-2128

707-442-5711

DATE	JOB#	W/O #	TYPE	DESCRIPTION	AMOUNT DUE
3/04/16		87405	EXCH	30 YD DEBRIS BOX OPEN	834.38
					

CREDIT LIMIT: \$500.00  
NORMAL TERMS: NET 30  
FINANCE CHARGE APR: 18.00%

**TOTAL AMOUNT DUE \$ 834.38**



# INVOICE

INVOICE DATE 3/31/2016  
 INVOICE NUMBER 63517  
 PAGE NUMBER 1  
 CUSTOMER NUMBER A0060028373  
 ORDER NUMBER 22  
 TOTAL AMOUNT DUE \$ 968.09  
 PURCHASE ORDER #  
 SERVICE LOCATION

Recology Humboldt County  
 949 W Hawthorne St  
 Eureka CA 95501-2128  
 707-442-5711

RECEIVED  
 APR 04 2016  
 PURCHASING

REMIT TO: 4181 WEILER RD  
 Recology Humboldt County  
 949 W Hawthorne St  
 Eureka CA 95501-2128

HUMBOLDT COUNTY CODE ENFORCMNT  
 825 5TH ST, ROOM 110  
 EUREKA CA 95501

PLEASE RETURN TOP PORTION WITH YOUR PAYMENT

KEEP THIS PORTION FOR YOUR RECORDS INV#: 63517 ACCT#: A0060028373 ORD#: 22  
 4181 WEILER RD

HUMBOLDT COUNTY CODE ENFORCMNT  
 825 5TH ST, ROOM 110  
 EUREKA CA 95501

Recology Humboldt County  
 949 W Hawthorne St  
 Eureka CA 95501-2128

707-442-5711

DATE	JOB#	W/O #	TYPE	DESCRIPTION	AMOUNT DUE
3/05/16		87410	PULL	30 YD DEBRIS BOX OPEN EXCESS WEIGHT IN 7,960LBS TTL	834.38 133.71



CREDIT LIMIT: \$500.00  
 NORMAL TERMS: NET 30  
 FINANCE CHARGE APR: 18.00%

**TOTAL AMOUNT DUE \$ 968.09**



# INVOICE

INVOICE DATE 3/31/2016

INVOICE NUMBER 63518

PAGE NUMBER 1

CUSTOMER NUMBER A0060028373

ORDER NUMBER 22

TOTAL AMOUNT DUE \$ 834.38

PURCHASE ORDER #

SERVICE LOCATION

REMIT TO: 4181 WEILER RD

Recology Humboldt County  
949 W Hawthorne St  
Eureka CA 95501-2128

Recology Humboldt County  
949 W Hawthorne St  
Eureka CA 95501-2128  
707-442-5711

RECEIVED

APR 04 2016

PURCHASING

HUMBOLDT COUNTY CODE ENFORCMNT  
825 5TH ST, ROOM 110  
EUREKA CA 95501

PLEASE RETURN TOP PORTION WITH YOUR PAYMENT

KEEP THIS PORTION FOR YOUR RECORDS

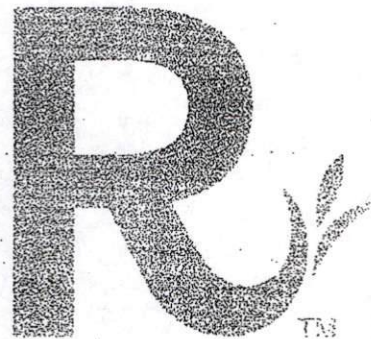
INV#: 63518 ACCT#: A0060028373 ORD#: 22  
4181 WEILER RD

HUMBOLDT COUNTY CODE ENFORCMNT  
825 5TH ST, ROOM 110  
EUREKA CA 95501

Recology Humboldt County  
949 W Hawthorne St  
Eureka CA 95501-2128

707-442-5711

DATE	JOB#	W/O #	TYPE	DESCRIPTION	AMOUNT DUE
3/05/16		87411	PULL	30 YD DEBRIS BOX OPEN	834.38



Recology  
WASTE ZERO

CREDIT LIMIT: \$500.00  
NORMAL TERMS: NET 30  
FINANCE CHARGE APR: 18.00%

**TOTAL AMOUNT DUE \$ 834.38**

**PROOF OF SERVICE**

STATE OF CALIFORNIA    )  
                                  ) ss.  
COUNTY OF HUMBOLDT    )

I, TERI GRIDLEY, say:

I am a citizen of the United States, over 18 years of age, a resident of the County of Humboldt, State of California, and not a party to the within action; that my business address is Humboldt County Courthouse, Eureka, California; that on May 27, 2016, I served a true copy **NOTICE OF ASSESSMENT**

XX    by placing a true copy of the aforementioned document in a sealed envelope individually addressed to each of the parties and caused each such envelope to be deposited with the U.S. Postal Service and/or picked up by an authorized representative, on that same day with fees fully prepaid at Eureka, California, in the ordinary course of business as set forth below:

**Russell Papstein  
4181 Weiler Road  
Eureka, CA**

\_\_\_\_\_ by personally delivering a true copy thereof to the person as forth below.

\_\_\_\_\_ by placing a true copy thereof in the designated place at Court Operations to the attorney/parties named below.

\_\_\_\_\_ by fax

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 27<sup>th</sup> day of May, 2016, at the City of Eureka, County of Humboldt, State of California.

  
Teri Gridley, Legal Office Services Manager



## Attachment 2



BOARD OF SUPERVISORS  
**COUNTY OF HUMBOLDT**

825 5TH STREET  
EUREKA, CALIFORNIA 95501  
PHONE [707] 476-2396

**FINDINGS AND ORDER**  
**CONFIRMING ACCOUNT AND ASSESSMENT**  
(Humboldt County Code Section 351-21)

In Re: Cost Recovery Hearing  
County of Humboldt v. Russell Papstein  
4181 Weiler Road, Eureka, California  
AP# 019-161-021

June 14, 2016

WHEREAS, on this date, the Humboldt County Board of Supervisors has considered the evidence presented to it concerning the subject premises, including relevant documents, writings, codes, ordinances, as well as oral testimony at the hearing, and now, therefore, it makes the following

**FINDINGS:**

1. The property located at 4181 Weiler Road, Eureka, California is located in a Residential: One-Family zone, in the unincorporated area of Eureka, Humboldt County, California, referred to as Assessor's Parcel No. 019-161-021; and
2. The Code Enforcement Unit received a departmental referral from the Humboldt County Division of Environmental Health concerning the existence of violations on the property, to wit: Property use in violation of Humboldt County Code (H.C.C.) § 352-26, junk vehicles; § 371-2, maintaining a junkyard; and § 521-4, the improper storage and removal of solid waste; and
3. The property owner, Russell Papstein, was served with a Notice of Nuisance pursuant to Humboldt County Code Section 351-12, describing the conditions constituting the violations and ordering abatement of those conditions; and
4. The property owner had significant and reasonable time to correct all violations and refused and/or failed to meet the deadlines prescribed by the Notice of Nuisance; and
5. The property owner was served with a Notice to Abate Nuisance, pursuant to Humboldt County Code Section 351-15, requesting the property owner appear before the Board to

show cause why the conditions should not be condemned as a nuisance and why such nuisance should not be abated by the County; and

6. The Administrative Abatement Hearing was held on July 14, 2015, at which time this Board made a finding condemning the conditions as a nuisance and ordered the violations to be abated within 30 days; and

7. When the property owner failed to abate the violations as ordered, on December 8, 2015, this Board ordered that funds be transferred to the Code Enforcement Unit to abate said nuisance; and

8. During March 4 through March 23, 2016, the Code Enforcement Unit of the County of Humboldt did, in fact, abate said nuisance; and

9. The Code Enforcement Unit maintained an accurate and itemized account of the cost of the abatement, pursuant to Humboldt County Code Section 351-33; and

10. The property owner was served with a Notice of Assessment, pursuant to Humboldt County Code Section 351-33, specifying the work done; an itemized account of the cost and receipts of performing the abatement; an address, legal description, or other description sufficient to identify the premises; the amount of the assessment proposed to be levied against the property; the time and place where the Code Enforcement Unit would submit the account to this Board for confirmation; and a statement that the Board would hear and consider objections and protests to said account and proposed assessment; and

11. The costs of the abatement as set forth in the Notice of Assessment were necessarily incurred and are reasonable.

## **ORDER:**

1. That the account and proposed assessment of \$5,320.33 be, and is hereby, confirmed in full; and

2. That the Code Enforcement Unit shall cause to be prepared and recorded in the Office of the County Recorder, a Notice of Lien, which shall contain the identity of the property, a description of the proceedings under which the assessment was made (including this Order Confirming Assessment), the amount of the assessment, and a claim of lien on the described premises; and

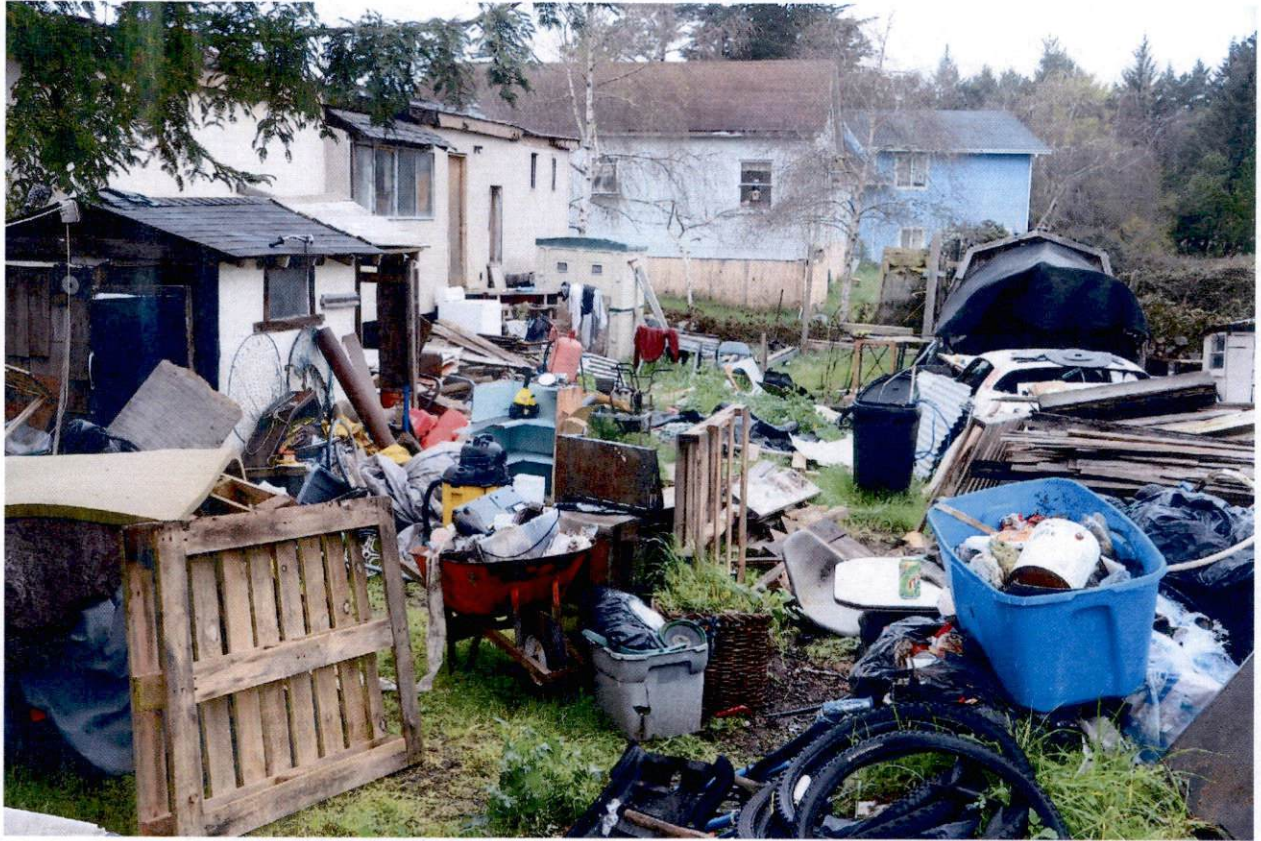
3. That the Auditor, upon receipt of the monies assessed, shall deposit three thousand fifty-seven dollars and sixty-seven cents (\$3,057.67); into the Code Enforcement Trust Fund account number 3440000, which was the money ordered advanced from the Code Enforcement Trust Fund by the Board of Supervisors on December 8, 2015 and spent on this abatement; and

4. That the Auditor, upon receipt of the monies assessed, shall deposit two thousand two hundred sixty-two dollars and sixty-six cents (\$2,262.66) into the County Counsel Office revenue account number 1100-121-603-040 to recoup Code Enforcement staff time, mileage and office expenses used in this matter to enforce the provisions of the Humboldt County Code.

DATED: 6/19/16

  
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CHAIR, BOARD OF SUPERVISORS

## Attachment 3



4181 Weiler Road, Eureka, California: AP# 019-161-021



4181 Weiler Road, Eureka, California: AP# 019-161-021