



COUNTY OF HUMBOLDT

Legislation Text

File #: 24-323, **Version:** 1

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Consent

Vote Requirement: Majority

SUBJECT:

Summarily Approve Nuisance Abatement Assessment on Two Properties, Located at 4181 Weiler Road, Eureka, CA 95503 and 4663 Salmon Creek Road, Miranda, CA 95553

RECOMMENDATION(S):

That the Board of Supervisors:

1. Summarily approve the proposed Nuisance Abatement Assessment for case CE21-0949 on property located at 4181 Weiler Rd, Eureka, CA 95503, (APN 019-161-021-000) to resolve violations of various Humboldt County Codes in the amount of \$58,697.85 in accordance with Title III, Division 5, Chapter 2, section 351-21 Summary Approval of Proposed Assessments; and
2. Summarily approve the proposed Nuisance Abatement Assessment for case CE23-2077 on property located at 4663 Salmon Creek Rd, Miranda, CA 95553 (APN 212-061-018-000) to resolve violation of various Humboldt County Codes in the amount of \$58,033.80 in accordance with Title III, Division 5, Chapter 2, section 351-21 Summary Approval of Proposed Assessments.

SOURCE OF FUNDING:

General Fund, Code Enforcement (1100269) Nuisance Abatement (631130)

DISCUSSION:

The Board is being asked to summarily approve two proposed Nuisance Abatement Assessments.

4181 Weiler Rd, Eureka, CA 95503

The first assessment is for a property owned by Russell H Papstein. This Code Enforcement case was opened on Feb. 16, 2021. Violations included substandard housing, maintaining a junkyard, junk and/or inoperable vehicles and improper storage and removal of solid waste. On July 16, 2021, the Building Department posted Notice and Order of Substandard Housing and Order to Vacate. Exhibit A. No progress was made with the Notice and Order of Substandard Housing and Order to Vacate subsequently the case was transferred to Code Enforcement on March 8, 2022.

On Sept. 28, 2022, Code Enforcement served Notice to Abate Nuisance (Exhibit B). On Dec. 2, 2022, Code Enforcement Investigator responded to the address to attempt personal contact with the property owner who had not responded to the Notice to Abate, there was nobody at the address. On Sept. 12, 2023, Code Enforcement served Notice of Intent to Abate and Remove Junk Vehicles (Exhibit C). Between September 2022 and September 2023 no progress had been made and as a result on Oct. 3, 2023, Letter of Intent to Conduct Public Nuisance Abatement was served (Exhibit D).

Code Enforcement continued working towards a county abatement by preparing and obtaining an Inspection Warrant and Order of Abatement for the Property, which was signed into effect on Nov. 20, 2023 (Exhibit E). Abatement work began on December 13, 2023, and was completed on Dec. 20, 2023. See Exhibit F for before and after photographs.

On Feb. 16, 2024, Code Enforcement served upon the property the Nuisance Abatement Assessment in the amount of \$58,697.85 (Exhibit G). No request for a Cost Recovery Hearing was received.

4663 Salmon Creek Rd, Miranda, CA 95553

The second assessment is for a property owned by Randall Reese. This Code Enforcement case was opened on Aug. 10, 2023. Violations found included hazardous materials violations, junk and/or inoperable vehicles and improper storage and removal of solid waste.

On Oct. 11, 2023, Code Enforcement served Notice to Abate Nuisance (Exhibit H). Between Oct. 12, 2023, and Dec. 12, 2023 Mr. Reese was able to obtain a dumpster and was working to abate the nuisance. The location of the nuisance was near Salmon Creek and the Eel River watershed. Out of concern for the environment this abatement was accelerated as winter rains were approaching. On Nov. 1, 2023, Code Enforcement Investigator met with Humboldt County Sheriff's Deputies and abatement contractor to document the solid waste, tag the junk vehicles, and provide an opportunity for abatement contractor to get onsite for estimating. On Nov. 20, 2023, Code Enforcement posted Notice of Intent to Abate and Remove Junk Vehicles (Exhibit I). On Dec. 2, 2023, Letter of Intent to Conduct Public Nuisance Abatement was served (Exhibit J).

Code Enforcement then continued working towards a county abatement by preparing and obtaining an Inspection Warrant and Order of Abatement for the Property, which was signed into effect on Dec. 7, 2023 (Exhibit K).

Abatement work began on Dec. 11, 2023, and was completed on Dec. 14, 2023. See Exhibit F for before and after photographs.

On Feb. 22, 2024, Code Enforcement served upon the property the Nuisance Abatement Assessment in the amount of \$58,033.80. No request for a Cost Recovery Hearing was received.

FINANCIAL IMPACT:

The cost of preparing the cases and serving the notices has been included as administrative costs in accordance with established policies and code sections. Administrative staff costs associated with these assessments have been budgeted in the salaries and expenses of budget unit 1100-269 (Code Enforcement). The cost of the abatement was paid out of monies set aside for County abatements in the General Fund and transferred to budget unit 1100-269. With staff recommendation, there is minimal impact to the General Fund with this Board item.

STRATEGIC FRAMEWORK:

This action supports the following areas of your Board's Strategic Framework.

Core Roles: Enforce laws and regulations to protect residents

OTHER AGENCY INVOLVEMENT:

Building Department, County Counsel

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to approve the Nuisance Abatement Assessment. However, this is not recommended because staff recommendations align with Title III, Division 5 of Humboldt County Code. By choosing this option there will be no reimbursement for the public funds spent to clean up and abate the public nuisance

ATTACHMENTS:

- Exhibit A Notice and Order of Substandard Housing and Order to Vacate - 4181 Weiler Rd
- Exhibit B Notice to Abate Nuisance - 4181 Weiler Rd
- Exhibit C Notice of Intent to Abate and Remove Junk Vehicles - 4181 Weiler Rd
- Exhibit D Intent to Conduct Public Nuisance Abatement - 4181 Weiler Rd
- Exhibit E Inspection Warrant and Order of Abatement - 4181 Weiler Rd
- Exhibit F Photo Documentation - 4181 Weiler Rd
- Exhibit G Nuisance Abatement Assessment - 4181 Weiler Rd
- Exhibit H Notice to Abate Nuisance - 4663 Salmon Creek Rd

Exhibit I Notice of Intent to Abate and Remove Junk Vehicles - 4663 Salmon Creek Rd
Exhibit J Letter of Intent to Abate Public Nuisance - 4663 Salmon Creek Rd
Exhibit K Inspection Warrant and Order of Abatement - 4663 Salmon Creek Rd
Exhibit L Photo Documentation - 4663 Salmon Creek Rd
Exhibit M Nuisance Abatement Assessment - 4663 Salmon Creek Rd

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A
Meeting of: N/A
File No.: N/A