



# COUNTY OF HUMBOLDT

## Legislation Text

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File #: 22-219, Version: 1

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**To:** Board of Supervisors

**From:** Planning and Building Department

**Agenda Section:** Departmental

**SUBJECT:**

Allocation of \$400,000 in Additional Funds for Code Enforcement Nuisance Abatement Costs in Budget Unit 1100269 and Supplemental Budget. 4/5 Vote Required.

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Review and confirm the Code Enforcement priorities for nuisance abatement cases along with the anticipated costs for the remainder of the 2021-2022 fiscal year.
2. Approve allocation of \$400,000 additional funds for the Code Enforcement nuisance abatement budget to cover the costs of prioritized for the remainder of the 2021-2022 fiscal year. 4/5 vote required.

**SOURCE OF FUNDING:**

The initial funding for nuisance abatement comes from the General Fund, however, per Humboldt County Code section 351 *et seq.*, the abatement costs are recovered through assessment of costs against the property.

**DISCUSSION:**

The Board of Supervisors is being asked to review and confirm the priorities for project-ready nuisance abatement cases along with their anticipated costs and to allocate funds to the Code Enforcement budget to cover the anticipated costs for the remainder of the 2021-2022 fiscal year.

**Background**

In fiscal year 2021-2022 the Board of Supervisors allocated \$500,000 for the purposes of conducting abatements on properties where the property owner is unwilling or unable to abate the public nuisance (s) and violation(s) on their property. So far, the county has conducted abatements on two properties. The first came at a cost of approximately \$40,000 in the current fiscal year. The second was a much larger project involving the demolition of a 17-unit, 7 building motel and fire-damaged, defunct gas station. The project involved several phases and costs are anticipated to be approximately \$390,000. These two projects have used most of the \$500,000 originally allocated.

There is approximately \$72,000 left in the budget with seven projects that are “abatement ready”. All these projects have been properly noticed and staff has worked with the property owner to elicit voluntary compliance without success. For some of the cases the property owner is deceased, and no heirs have been identified. Code Enforcement has received an estimate from a licensed contractor for the cost to abate the violations for four of the properties and staff has estimated the costs for the remaining three properties. The seven projects are listed below and summarized in Attachment A:

No.	Case No.	Address	Contractor	Amount	Est/Quote
1	12CEU-117	473 Quarry Rd, Trinidad	McCullough	\$281,000	(quote)
2	17CEU-114	1600 Shop Road, Redway	Johns' Group	\$232,000	(quote)
3	CE21-0925	2773 Spears Road, Freshwater	Mercer Fraser	\$75,000	(quote)
4	15CEU-45	3029 Eel River Dr, Loleta	KH McKenny	\$196,000	(quote)
5	CE19-0400	7218 Summit Ridge Rd, Eureka	n/a	\$75,000	(estimate)
6	12CEU-110	2227 Walker Ave, McKinleyville	n/a	\$40,000	(estimate)
7	CE21-1042	743 Montana Rd, McKinleyville	n/a	\$85,000	(estimate)
			Total	\$984,000	

### Priorities and Recommendations

Staff prioritizes cases based on impact to public health and safety, impacts to the neighborhood and anticipated costs. The cost of addressing the numerous properties needing immediate attention exceeds the current funding allocation. Recognizing that receiving funds to abate all these projects may be unlikely, and with the stated priorities in mind, staff makes the following recommendations:

1. Defer abatement on Number 1 (Case No. 12CEU-117). Although the county is poised to begin abatement of this property, the property owner is still negotiating alternative paths forward.
2. Defer abatement on Number 2 (Case No. 17CEU-114). The property owner is deceased, and no heirs have been identified. There has been a threat of litigation if the county does not act to abate the violations on the property, however, given the magnitude of the cost of clean-up, postponing until next fiscal year would allow Code Enforcement to use resources to address several smaller, and more urgent cases.
3. Immediately schedule county abatement to begin for Numbers 3 and 4 (Case Nos. CE21-0925 and 15CEU-45). These two projects have greatly impacted their surrounding neighborhoods and are a source of frequent and ongoing complaints.
4. Obtain quotes and schedule county abatement for Numbers 5, 6 and 7 (Case Nos. CE19-0400, 12CEU-110 and CE21-1042) to immediately begin on the heels of completing abatement on the cases in recommendation number 3 above.

The cost estimate for the five projects recommended for abatement is \$470,000. With the approximately \$72,000 remaining in the abatement budget, staff requests and recommends the Board allocate an additional \$400,000 to the abatement fund for the current fiscal year. Although it is an aggressive schedule, Code Enforcement is prepared to act on these projects and complete them by the

end of the fiscal year. It is the lack of funding that is causing a delay.

FINANCIAL IMPACT:

The initial funding for county-led nuisance abatements comes from the General Fund. In fiscal year 2021-22 your Board allocated \$500,000 for this purpose and the funding requested in this report will reduce the General Fund contingencies by an additional \$400,000 and increase the Code Enforcement budget (1100-269) by the same amount. However, per Humboldt County Code section 351 *et seq.*, the nuisance abatement costs are assessed and recovered by placing the assessed costs on the Humboldt County Secured Tax Roll to be collected in the same manner as ordinary property taxes. In addition, the assessment is recorded as a lien against the property so in the event the property is sold, the county, as lienholder, would be reimbursed for costs incurred.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by enforcing laws and regulations to protect residents

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Board could choose not to allocate additional funds for county-led abatements. However, this would result in known public health and safety violations remaining unresolved.
2. The Board could choose to partially allocate additional funds for county-led abatements. However, this would result in several cases overflowing into next fiscal year.

ATTACHMENTS:

ATTACHMENT A - Summary of Project-Ready Abatement Cases

ATTACHMENT B - Supplemental Budget

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

Meeting of: N/A

File No.: N/A