



CITIZENS' ADVISORY COMMITTEE ON MEASURE Z EXPENDITURES

(Advisory Committee will make recommendations to the Humboldt County Board of Supervisors as to expenditure of funds derived from *Measure Z*.)

APPLICATION FOR FUNDING

RECEIVED
FEB 18 2016
CAO

Agency Name: Humboldt County Code Enforcement Unit
Mailing Address: 825 Fifth Street, Room 110, Eureka, California 95501
Contact Person: Blair Angus Title: Assistant County Counsel
Telephone: 707 445 7236 E-mail address: countycounsel@co.humboldt.ca.us

1. AMOUNT OF MEASURE Z FUNDING REQUESTED FOR FY 2016-17: \$40,000

2. ENTITY TYPE -- Please check appropriate box.

- a. Humboldt County Department
- b. Contract Service Provider to Humboldt County
- c. Local Government Entity
- d. Private Service Provider
- e. Non-Profit Service Provider
- f. Other

3. Please provide brief description of proposal for which you are seeking funding.

The Code Enforcement Unit's (CEU) primary function is to protect the health and welfare of the community by enforcing County Codes. These include accumulations of solid waste, hoarding, illegal dumping, abandoned or junk vehicles, substandard housing, the environmental degradation caused by illegal outdoor marijuana grows, enforcement of the County's personal medical marijuana cultivation ordinance and other violations of state and county codes. One of the tools used by the CEU is to conduct an abatement on parcels where the owner is either unwilling or unable to clear the violations himself.

A trust fund has been established, in part, to fund these abatements. However, the amount of monies available often limits the number and scale of abatements that the CEU can undertake. Consequently, the CEU is requesting a onetime allocation of \$40,000 to the Code Enforcement Trust Fund to allow the CEU to more effectively deal with several longstanding violation properties.

4. *Measure Z* funding is scheduled to "sunset" in 2020. How are you developing a plan for sustainability, including diversification of funding sources, in order for your proposal to carry on without reliance on future *Measure Z* funds?

County Code allows the CEU to hold a Cost Recovery Hearing before the Board of Supervisors after an abatement is completed. The CEU presents to the Board of Supervisors the costs incurred in bringing the property into compliance. The owners can contest this amount. If the Board approves the CEU's assessment of the costs, this amount is added to the secured tax rolls. The property taxes cannot be paid without also paying the cost recovery assessment. If the property owner is unable or unwilling to pay the costs of the abatement, the property will eventually be sold in the tax lien auction. In this way, the majority of the money allocated to the Trust Fund is eventually returned to be used again.

5. If this request is for the continuation, or expansion, of an existing program/service, what is the current source of funding for that program/service?

The Code Enforcement Trust Fund receives money from two primary sources. A portion of the administrative penalties collected by the CEU is placed in the Trust Fund. This amount varies from year to year and has not been consistent. The second source of funds is the payment of cost recovery assessments. This often takes place during escrow or as a result of the sale of a parcel in the annual tax lien auction. Both of these methods of recovering funds spent on abatement can take several years.

6. If you are awarded *Measure Z* funds, how will you use them to leverage additional grants, contributions, or community support?

The CEU has conducted numerous abatements on parcels that were a major concern to the members of the surrounding community. The allocation of additional monies to the Code Enforcement Trust Fund would allow the CEU to conduct additional abatements on several longstanding violations that would further enhance the communities in which these parcels are located and thus gather support for the CEU.

7. Will this proposal require new or expanded activity on the part of another entity to be fully functional and effective? If so, please describe.

The CEU often uses Sheriff Work Alternative Program (SWAP) crews to conduct smaller size abatements. However, the size and nature of the abatements under consideration would require the use of private contractors with heavy equipment and so this should not be an issue.

ATTACHMENTS—Please include the following with your application

Proposal Narrative: Brief description of your request for *Measure Z* funds – Please explain how it is an essential service or for public safety. (*one page maximum*) Attachment "A"

Prior Year Results: If your request is a continuation of a program funded with *Measure Z* in FY 15-16, please provide the results of implementation. (*one page maximum*) Attachment "B"

Program Budget: Use budget form provided Attachment "C"

I declare under penalty of perjury under the laws of the State of California that the above statements and all attachments are true and correct

DATE: 2/18/2016

SIGNATURE: 

SUBMIT THIS APPLICATION TO:

Humboldt County Citizens' Advisory Committee on *Measure Z* Expenditures
c/o County Administrative Office
825 Fifth Street, Suite 111
Eureka, CA 95501-1153.

Attachment "A"
Proposal Narrative

The purpose of the Code Enforcement Unit (CEU) is to promote health, safety, property preservation and community enhancement through enforcement of County and State ordinances relating to private property use within the jurisdiction of Humboldt County. The issues that the CEU handles on a regular basis include illegal dumping, accumulations of solid waste, unpermitted construction and/or grading, substandard dwelling units, abandoned and/or unsecured structures, hoarding, and abandoned and/or inoperable vehicles. Additionally the CEU is the lead enforcement agency for the County's personal use medical marijuana ordinance and is likely to have a role in the enforcement of the new commercial medical marijuana ordinance. The current exclusive staff of the CEU is a code compliance officer, a code enforcement investigator and a part-time legal office assistant. In addition, a deputy county counsel and an office manager are assigned to the CEU, but have numerous other duties. The code compliance officer and the office assistant are both paid for with Measure Z funds and both employees began working for the CEU on December 7, 2015. The other positions are paid out of the General Fund.

The County Code authorizes the CEU to use several tools to cure violations on private property. The two most commonly used tools are administrative penalties and abatements. Administrative penalties can be issued to the property owner and/or a responsible party and can range from \$250 to \$10,000 per day the violation exists. When these penalties are collected, a portion is set aside to help defray the costs of the CEU while the remainder is placed in the Code Enforcement Trust Fund. An abatement requires a hearing before the Board of Supervisors. If the Board finds the property to be a nuisance, they issue an order requiring the property owner to abate the violations within the time period allotted, which is a minimum of thirty days. If the owner fails to do so, the CEU requests the Board authorize a transfer of the funds necessary to abate the violations from the Code Enforcement Trust Fund. An abatement warrant is obtained from the Superior Court and the CEU arranges for the violations to be cleared at County expense. Following the abatement, a second hearing is held before the Board of Supervisors in which the CEU requests that the Board authorize the CEU to place an assessment on the secured property tax rolls to cover all the costs of the abatement including staff time. When these funds are recovered, any expenses paid to an outside source are returned to the Code Enforcement Trust Fund while those related to staff expenses are returned to the General Fund.

Several reasons have caused the amount of money in the Code Enforcement Trust Fund to decline in the last two years. These include completing several expensive abatements for which the funds have not yet been recovered, an injury to the code enforcement investigator that required an extended medical leave, the repayment of a \$25,000 loan to the General Fund and the inconsistency of penalty collection. The current balance of the Trust Fund is approximately \$20,000. With the increase in the CEU's staff, it is anticipated that abatement funding will be needed for an increasing number of properties in the near future. Consequently, the CEU is requesting that \$40,000 be allocated from Measure Z funds to the Code Enforcement Trust Fund in the 2016/2017 fiscal year to meet these expectations.

The CEU was founded in 1995 as the Community Assistance Unit (CAU). The CEU still has a small number of open cases from this time period that due to the size and complexity of the violations, have not been abated. It is anticipated that, in part, any one-time funds obtained from Measure Z sources would be used to conduct abatements on at least three of these parcels. The parcels are located in the Ferndale Bottoms, in the greater Trinidad area, and in the greater Bridgeville area. All three of these properties have numerous and extensive violations of County Code and it is anticipated that the cost of abatement will be between \$10,000 and \$20,000 for each parcel. With the addition of \$40,000 to the Code Enforcement Trust Fund, it is believed that all three of these abatements can be completed with funds left over to deal with other problem properties as they arise. It should also be noted that any transfer of funds from the Code Enforcement Trust Fund must be approved by the Board of Supervisors and so the Board would have the ultimate authority on how any Measure Z monies transferred to the Code Enforcement Trust Fund would be spent.

ATTACHMENT "C"

Budget 1100-299

Agency Name County Counsel Measure Z

Date: 2/18/16

Descriptions	Amounts	Approved Budget	Remaining Balance
A. Personnel Costs			
1-700 Title: Workers' Compensation	1,640		
Salary and Benefits			0.00
Calculation:			
Duties Description:			
Title:			
Salary and Benefits			0
Calculation:			
Duties Description:			
Title:			
Salary and Benefits			0
Calculation:			
Duties Description:			
Title:			
Salary and Benefits			0
Calculation:			
Duties Description:			
Total Personnel:		1,640.00	0.00
B. Operational Costs (Rent, Utilities, Phones, etc.)			
Title:			
Description:			
Title:			
Description:			
Title:			
Description:			
Title:			
Description:			
Total Operating Costs:		0	0
C. Consumables/Supplies (Supplies and Consumables should be separate)			
2-110 Title: Insurance	896		
Description:			
2-117] Title: Office Supplies	417		
Description: Day to day office supplies			
2-148 Title: Computer	1000		
Description: Annual license fee for Comcate computer software for Code Enforcement cases			
2-317 Title: Office Expense - Equipment	3000		
Description: Camera and other office equipment			
Title: One Time Money - CEU Trust Fund	40000		

Budget 1100-299
 Agency Name County Counsel Measure Z

Date: 2/18/16

Descriptions	Amounts	Approved Budget	Remaining Balance
Description: Property clean up of Code Enforcement cases			
Total Consumable/Supplies:	45313	0	0
D. Transportation/Travel (Local and Out-of-County should be separate)			
2-125 Title: Transportaton and Travel (In County)	5000		
Description: Traveling in county to check on cases			
2-225 Title: Transportation and Travel (Out-of-County)	1000		
Description: Transportation to conference			
Title:			
Description:			
Total Transportation/Travel Costs:	6000	0	0
Other Charges			
3-137 Title: A-87 Overhead Charges	500		
Description:			
Title:			
Description:			
Total Other Costs:	500	0	0
Total:	53,453.00		