

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # *D-1

Urgent

Routine

AGENDA DATE November 15, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board Regarding Cost Accounting to Abate Nuisance DAD2011-00003 Located at 510 E. Hatch Road, Modesto, CA 95351

STAFF RECOMMENDATIONS:

1. Adopt the decision of the Nuisance Abatement Hearing Board regarding nuisances at 510 E. Hatch Road, Modesto, California as set forth herein.
2. Direct staff to order an "Abatement Lien" to be recorded against the property through the Treasurer/Tax Collector's office.

FISCAL IMPACT:

Demolition cost recovery will be achieved through the Abatement Lien placed on the property, pursuant to the California Government Code 25845 and the 2006 Edition of the International Property Maintenance Code Section 106. The demolition and clean-up of the said property was completed at a total cost of \$12,352.23 and funded through the Dangerous Building Fund which has adequate balance to fund the activities.

BOARD ACTION AS FOLLOWS:

No. 2011-709

On motion of Supervisor Chiesa Seconded by Supervisor Withrow
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, De Martini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

At the request of Department of Environmental Resources, on April 9, 2010, the Planning and Community Development Department, Building Permits Division conducted a field investigation that revealed a fire damaged structure (dwelling), refuse, and debris on property located at 510 E. Hatch Road, Modesto, CA 95351.

A certified letter was sent to the owner with the recommendation to demolish the structure and remove all refuse and debris. The letter was delivered and signed for. On October 29, 2010, a "Notice and Order" was mailed and posted, and a "Certificate of Existence of Dangerous Building" was recorded by the Stanislaus County Clerk-Recorder's Office. Approval was given for demolition and clean-up by the Nuisance Abatement Board on March 24, 2011, with the Board of Supervisor's approval on May 24, 2011. The demolition of the dwelling and clean-up of the property was completed on August 15, 2011, at a total cost of \$12,352.23.

On October 27, 2011, the Nuisance Abatement Hearing Board supported staff's recommendations that the billing was reasonable and forwarded the matter to the Board of Supervisors. By adopting the decision of the Nuisance Abatement Hearing Board, the Board of Supervisors affirms the reasonableness of the billing. A detailed accounting of the billing is attached as Decision of Costs (Attachment 1) and Cost Accounting Staff Report (Attachment 2).

POLICY ISSUES:

Approval of staff's recommendation is consistent with the Board's priorities of providing A Safe Community and A Healthy Community by removing dangerous structures and the Efficient Delivery of Public Services by recovering associated costs from the responsible parties.

STAFFING IMPACTS:

Current staff from the Stanislaus County Building Permits Division performs the administration of nuisance abatement cases.

CONTACT PERSON:

Steve Treat, Chief Building Official Telephone: 209-525-6557

ATTACHMENTS:

1. Nuisance Abatement Boards Decision of Costs
2. Cost Accounting Staff Report



NUISANCE ABATEMENT HEARING BOARD

DECISION OF COSTS

**IN RE: 510 East Hatch, Modesto, CA 95351
Abatement Hearing No. DAD2011-00003
BOARD OF SUPERVISORS No. 2011-325**

The Stanislaus County Board of Supervisors authorized a forced cleanup for the above mentioned property on May 24, 2011. Using the guidelines set forth by the Board of Supervisors the Planning & Community Development Department Building Permits Division obtained bids for this cleanup. That cleanup was conducted on August 17, 2011.

The cost accounting for this cleanup is attached to this Decision of Costs as attachment AA. It is respectfully requested, on October 27, 2011, that the Nuisance Abatement Hearing Board, pursuant to 2.92.070 of the Stanislaus County Code, find these costs are reasonable. If the costs are found to be reasonable then the Board of Supervisors will be asked to accept, modify or deny the Decision of Costs so the billing process can proceed.

Approved as Requested
Steve Boyd, Chair
Stanislaus County
Nuisance Abatement Hearing Board

It should be noted that on November 15, 2011 the Board of Supervisors will hear this matter as a consent item.

ATTACHMENT 1

25-Aug-09

Laurie Halverson
PO Box 28574
Seattle, WA 98118

Re: 510 East Hatch, Modesto CA

Re: BILLING STATEMENT: ABATEMENT ACTION # DAD2011-00003
LOCATION: 510 EAST HATCH, MODESTO, CA
ASSESORS PARCEL NUMBER: 086-009-009

ORIGINAL DATE OF NOTICE and ORDER: October 29, 2010

Title Search Fee	(1746-43290-40860)	\$75.00
Recording Fees	(1206-40400-40860)	\$24.00
Demolition/Cleanup Contractor Service	(1746-43290-40860)	\$9,600.00
A. Total Costs-Fees to Other Agencies		\$9,699.00
Postage	(1206-40400-40860)	\$29.90
Notice and Order	(1746-43290-40860)	\$82.83
Notice of Hearing to Abate	" "	\$248.49
Enforcement Decisions of Board of Superviso	" "	\$165.66
Field Inspections Prior to Abatement	" "	\$540.19
Administration	" "	\$959.55
B. Total Posting/Field/Administration		\$2,026.62
Nuisance Abatement Hearing	" "	\$334.91
Board of Supervisors Hearing	" "	\$291.70
C. Total Hearing Costs		\$626.61
Total Balance Due by Owner		\$12,352.23

The balance is due and payable upon receipt of statement. Failure of the owner to make total payment upon demand by Stanislaus County shall result in a notice of abatement lien on the subject property pursuant to the provision of California Government Code 12845.

If you have any questions regarding this document, please feel free to call me between the hours of 8:00 am and 5:00 pm at 525-6557.

Steve Treat, Interim Chief Building Official

ATTACHMENT - AA

PROJECT: 510 East Hatch

CASE #: DAD2011-00003

Owner/Beneficiary: Laurie Halverson

ADMINISTRATIVE TIME	DATE	TIME	COST	TOTAL
Open case		1	\$82.83	\$82.83
Certificate of existence Order	10/29/10	0.5	\$82.83	\$41.42
Administration research	10/29/10	1	\$49.15	\$49.15
Notice and Order	10/29/10	1	\$82.83	\$82.83
Owner contact and parcel research	2/8/11	3	\$82.83	\$248.49
Nuisance Abadement Board Item research	3/9/11	4	\$82.83	\$331.32
Public Hearing Notices to Owner & public	3/10/10	3	\$82.83	\$248.49
Administrative mailings of Public Notices	3/10/11	1	\$40.68	\$40.68
Nuisance Abadement Board Meeting	3/24/10	1	\$208.87	\$208.87
Board of Supervisors agenda item	4/22/11	2	\$82.83	\$165.66
Board of Supervisors meeting	5/24/11	1	\$208.87	\$208.87
Purchasing/contract meeting	6/1/11	1	\$82.83	\$82.83
Finalize Dangerous Case	8/18/11	1	\$82.83	\$82.83
Nuisance Abadement Board meeting	9/29/11	1	\$126.04	\$126.04
Board of Supervisors Meeting	10/4/11	1	\$82.83	\$82.83
Total				\$2,083.14

INSPECTION TIME	DATE	TIME	COST	TOTAL
Initial Inspection	5/12/10	1	\$126.04	\$126.04
Posting	10/29/10	1	\$82.83	\$82.83
Progress inspection	11/15/10	1	\$82.83	\$82.83
Progress inspection	6/13/11	1	\$82.83	\$82.83
Job site walk w/ purchasing and contractors	6/30/11	1	\$82.83	\$82.83
Job site meeting with contractor	8/15/11	1	\$82.83	\$82.83
Total				\$540.19

INCIDENTAL EXPENSES	DATE	TIME	COST	TOTAL
Postage		1	\$29.90	\$29.90
Title Search Fee		1	\$75.00	\$75.00
Recording Fees		2	\$12.00	\$24.00
Demolition and clean up	8/15/11	1	\$9,600.00	\$9,600.00
Total				\$9,728.90

SUB TOTALS

ADMINISTRATIVE TIME	2,083.14
INSPECTION TIME	540.19
INCIDENTAL EXPENSES	9,728.90
Total	\$12,352.23



CSLB# 271166

ModestoSandAndGravel.com

6137 HAMMETT COURT * MODESTO, CA 95358 * PHONE 209-545-4425 * FAX 209-545-4428

STANISLAUS COUNTY (PURCHASING DIVISION)

P.O. BOX 3229

MODESTO, CA 95353

INVOICE

Invoice #	1211.0
Date	8/16/2011
Due by	9/15/2011

Project: HATCH RD DEMO/CLEAN UP

Location: 510 HATCH RD.
MODESTO, CA

Job Started: 8/15/2011

Job Completed: 8/15/2011

Contact: CATHY BLAIR, SENIOR BUYER

Invoice Details	
DEMOLISH AND REMOVE BURNT SINGLE FAMILY RESIDENCE AND THE CONCRETE FOUNDATION. GATHER, LOAD AND OFF HAUL ALL OTHER DEBRIS/TIRES IN YARD AND FROM BURNT STORAGE SHED AND GARAGE. GATHER, LOAD AND OFF HAUL THE MAJOR PORTION OF DEAD WEEDS. AND BRUSH SCATTERED OVER THE PROPERTY. DEMOLISH THE SEPTIC TANK PER COUNTY CODES. ALL PERMITS INCLUDED. PO # 102728	\$9,600.00
Invoice Total:	\$9,600.00

Balance Due: \$9,600.00

OK TO PAY
SP
08/31/11

TERMS

NET 30 DAYS FROM DATE OF COMPLETION.

1 1/2% SERVICE CHARGE PER MONTH (18% ANNUAL) WILL BE CHARGED ON PAST DUE ACCOUNTS.

RECEIVED

AUG 26 2011

GENERAL SERVICES AGENCY

AUG 30 2011

ATTACHMENT - II

PROJECT: 510 East Hatch

CASE #: DAD2011-00003

Owner/Beneficiary: Laurie Halverson

ADMINISTRATIVE TIME	DATE	TIME	COST	TOTAL
Open case		1	\$82.83	\$82.83
Certificate of existence Order	10/29/10	0.5	\$82.83	\$41.42
Administration research	10/29/10	1	\$49.15	\$49.15
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Job site meeting with contractor	8/15/11	1	\$82.83	\$82.83
Total				\$540.19

INCIDENTAL EXPENSES	DATE	TIME	COST	TOTAL
Postage		1	\$29.90	\$29.90
Title Search Fee		1	\$75.00	\$75.00
Recording Fees		2	\$12.00	\$24.00
Demolition and clean up	8/15/11	1	\$9,600.00	\$9,600.00
Total				\$9,728.90

SUB TOTALS

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