



**COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
CODE COMPLIANCE DIVISION
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Sean Powers
Community Development Agency Director

Leslie Woodman
Code Compliance Program Manager

**NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo**

MEETING DATE: May 9, 2017

TO: Board of Supervisors

FROM: Leslie Woodman, Program Manager

SUBJECT: Resolution authorizing execution of a Personal Services Contract with Indian Head Enterprises for services related to the nuisance abatement clean-up at the property located at 13341 Red Tail Hawk Road, Nevada City in an amount not to exceed \$41,430.40 which includes a 10% contingency for the term of May 15, 2017 through June 15, 2017

RECOMMENDATION: Approve the Resolution to execute a Personal Services Contract with Indian Head Enterprises for nuisance abatement clean-up at the property located at 13341 Red Tail Hawk Road, Nevada City.

FUNDING: Funding for this agreement will impact the Code Compliance Division's Fiscal Year 2016-17 Nuisance Abatement Budget. There is no impact to the General Fund and a budget amendment is not required.

BACKGROUND: The code compliance case on the property located at 13341 Red Tail Hawk Road, Nevada City, opened on April 30, 2003. There is a total of six (6) acres and the property is zoned AG-40 and is in Supervisory District 4. The initial complaints included people living in a horse shed and several trailers on the property, along with solid waste, inoperable vehicles covering the property, and an excessive number of animals occupying the property.

During the course of the last fourteen years, the property owner allowed the construction of an unpermitted two story addition onto the residence and a storage building on the eastern portion of the property. The solid waste has fluctuated in terms of the amount of

materials stored on the property and there have been several evictions of tenants occupying recreation vehicles onsite.

Although there has been a small amount of progress made over the years, several citations were issued for an expired permit, recreational vehicle use and temporary occupancy, solid waste and inoperable vehicles.

Several attempts were made to both the property owner and tenant to correct the violations but were unsuccessful. It is believed that abatement is the only option for resolving the case. On December 2, 2016, a Nuisance Abatement Hearing was held by the Nevada County Code Compliance Division and was facilitated by Hearing Officer David J. Ruderman. This public hearing allowed for neighbors and community members to voice their concerns about the property in question. The Code Compliance Division presented its case against the property and provided evidence that the violations continue to exist after several years of working with the tenant and property owner.

On January 4, 2017, the final decision made by Hearing Officer David J. Ruderman declared the following items to be a public nuisance:

1. Solid Waste Accumulation, County of Nevada General Code Section G-IV 8.1 and 8.3, General and Waste Removal Time Periods; Solid Waste, California Public Resource Code Section 40191; Nuisance/Property Maintenance, California Health and Safety Code 17920.3 (c); and Abatement and Removal of Inoperable Motor Vehicles, County of Nevada Land Use and Development Code, Section L-II, 5.20; and Property Maintenance, County of Nevada Land Use and Development Code, Section L-II 5.22.
 - a. Solid waste includes: furniture, tires, apparently abandoned vehicles, travel trailers, a recreation vehicle, appliances, wood pallets, disintegrating tarps, and miscellaneous household and construction debris. Vehicles, solid waste and personal property are located and/or stored in such a way as to hamper and interfere with prevention or suppression of fire and may be detrimental to the health, safety and welfare of persons in the vicinity. The solid waste will be removed from the property as part of the nuisance abatement.

A Request for Proposals was released in March 2017 seeking qualified contractors to perform the nuisance abatement clean-up of the property. Proposals were received from three (3) vendors. Community Development Agency Staff reviewed all proposals and determined Indian Head Enterprises was best suited for the project. This was based on their past experience and comprehensive description of the services they would provide in order to complete the project. The work is anticipated to be completed within a two (2) week timeframe and scheduled from May 15, 2017 – May 26, 2017.

Item Initiated by: Leslie Woodman, Program Manager
Approved by: Sean Powers, Director

Submittal Date: April 24, 2017
Revision Date: