

*675 Wildwood Avenue
Rio Dell, CA 95562-1597
(707) 764-5642 Hall*



For Meeting of: July 7, 2026
☐ Consent Item; ☒ Public Hearing Item

To: City Council
From: Mary Clark, Community Service Officer
Through: Kyle Knopp, City Manager
Date: July 7, 2026
Subject: Public Hearing on the Cost Recovery for the Abatement of 520 First Avenue

Recommendation:

1. Open the Public Hearing
2. Receive any testimony/evidence concerning the cost recovery for the abatement conducted at 520 First Avenue
3. Close the Public Meeting
4. Discuss the matter
5. Approve the Findings and Order Confirming Accounts and Assessment for the abatement of 520 First Avenue

Background and Discussion

On November 25, 2020, a Notice of Violation was served to the estate of the property owner of 520 First Avenue Street. There was some initial progress in removing the trash and garbage stored in the front yard of that property. However, the situation soon reverted and a Notice of Nuisance and Order to Abate was served to the estate of the property owner on March 25, 2021. On December 10, 2025, an inspection warrant was served by multiple entities to determine building codes violations, along with health and safety code violations. As a result of the inspection warrant, a Notice and order to vacate for Substandard Housing was served to the occupants on December 22, 2025 with a corrected date by January 12, 2026. When all violations were not corrected and/or no attempt was made by the provided date, a warrant was sought from the court. On January 12th and 13th, 2026, 4 workers from Redwood Teen Challenge, Chief Phinney, CSO Wolfe, and I completed the abatement. Pacific Gas and Electric responded in disconnecting services to the residence and two workers with Wendt Construction assisted in

securing the entrances to the residence. During the abatement, 3-40 yard dumpsters of solid waste was removed from the property along with multiple junk vehicles/parts thereof. The City's costs for the abatements were determined to be \$10,689.00. This cost assessment was sent via certified mail to the estate of the property owner on March 2, 2026. There has been no attempt made to pay or make a plan with the City for this debt.

Rio Dell Municipal Code (RDMC) Sections 8.10.310 through 8.10.330 cover the cost recovery process. RDMC Section 8.10.330 references the California Government Code Section 38773.5 which spells out the process for establishing taxes and assessments. This process requires two meetings, a public meeting followed by a public hearing.

Attachment(s): Findings and Order Confirming Account and Assessment
Notice of Public Meeting and Hearing Regarding Nuisance Abatement Cost
Recovery



**FINDINGS AND ORDER
CONFIRMING ACCOUNT AND ASSESSMENT**

In Re: Cost Recovery Hearing
City of Rio Dell vs The Estate of Jo Ann Tolley
520 First Avenue, Rio Dell, California
AP# 053-095-015

July 7, 2026

On July 7, 2026, the Rio Dell City Council convened a hearing under Rio Dell Municipal Code Section 8.10.320 for the assessment of costs related to nuisance abatement activities at the subject premises recited above.

At said hearing the Council considered the evidence presented to it concerning the subject premises, including relevant documents, writings, codes, ordinances, as well as oral testimony at the hearing, and now, therefore, it makes the following:

FINDINGS:

1. The property located at 520 First Avenue, Rio Dell, California is located in an Urban Residential zone within the City of Rio Dell, Humboldt County, California and is referred to as Assessor's Parcel Number 053-095-015; and
2. The Rio Dell Police Department received complaints concerning the existence of violations on the property, to wit: Property use in violation of Rio Dell Municipal Code Section 8.10.020(a)(1), improper disposal of solid waste; and Section 8.10.020(c), junk vehicles; and
3. The property owner, The estate of Jo Ann Tolley, was served with a Notice of Violation dated November 25, 2020, pursuant to Rio Dell Municipal Code Section 8.10.230, describing the violations and ordering abatement of those conditions; and
4. The estate of the property owner had significant and reasonable time to correct all violations and refused and/or failed to meet the deadlines prescribed by the Notice of Violation; and
5. The estate of the property owner was served with a Notice of Nuisance and Order to Abate dated March 25, 2021 pursuant to Rio Dell Municipal Code Section 8.10.260, giving the estate of the property owner additional, significant, and reasonable amount of time to correct the violations; and

6. The estate of the property owner did not contest the imposition of the Notice of Violation and Order to Abate; and
7. The estate of the property owner refused and/or failed to meet the deadlines imposed by the Notice of Violation and Order to Abate; and
8. On January 12th and 13th, 2026, the City of Rio Dell did, in fact, abated said nuisances; and
9. The City of Rio Dell maintained an accurate and itemized account of the cost of the abatement, pursuant to Rio Dell Municipal Code Section 8.10.310; and
10. The estate of the property owner was served with a Cost Recovery Assessment outlining the costs incurred by the City and requesting that payment be made within thirty days; and
11. The estate of the property owner has refused and/or failed to make payment to the City for the cost of the abatement within the time allotted; and
12. On April 6, 2026, the estate of the property owner was served with a Notice of Assessment, pursuant to Rio Dell Municipal Code Section 8.10.320, specifying the work done; an itemized account of the cost and receipts of performing the abatement; the amount of the assessment proposed to be levied against the property, the time and place where the Rio Dell Police Department would submit the account to the Rio Dell City Council for confirmation; and a statement that the City Council would hear and consider objections and protests to said account and proposed assessment; and
13. The costs of the abatement as set forth in the Notice of Assessment were necessarily incurred and are reasonable.

Following the said meeting and hearing, the City Council for the City of Rio Dell does hereby ordain and declare as follows:

ORDER:

1. That the account and proposed assessment of \$10,689.00 be, and is hereby, confirmed in full; and
2. That the Rio Dell Police Department shall cause to be prepared and recorded in the Office of the County Recorder, a Notice of Lien, which shall contain the identity of the property, a description of the proceedings under which the assessment was made (including this Order Confirming Assessment), the amount of the assessment, and a claim of lien on the described premises.

The City Council votes are tabulated as follows:

Mayor Debra Garnes:	Yes ☐ ; No ☐
Mayor Pro Tem Amanda Carter:	Yes ☐ ; No ☐
Councilmember Frank Wilson:	Yes ☐ ; No ☐
Councilmember Robert Orr:	Yes ☐ ; No ☐
Councilmember Julie Woodall:	Yes ☐ ; No ☐

DATED: _____

Mayor of the City of Rio Dell

DATED: _____

Clerk of the City of Rio Dell

Notice of Public Meeting and Hearing Regarding Nuisance Abatement Cost Assessment

April 6, 2026

Via Certified Mail

To: The Estate of Jo An Tolley
520 First Avenue
Rio Dell, California 95562

Location: AP# 053-095-015
520 First Avenue
Rio Dell, California

This Notice of Public Meeting and Hearing Regarding Nuisance Abatement Cost Assessment follows the Notice of Violation, served on November 25, 2020; the Notice of Nuisance and Order to Abate, served on March 25, 2021; and the Notice of Abatement Cost issued on May 2, 2026. Notice is hereby given that the City of Rio Dell ("City") has completed the abatement of the nuisance conditions on the property located at 520 First Avenue, Rio Dell, California, known as Assessor's Parcel Number 053-095-015, under the authority of the Section 8.10.290 of the Rio Dell Municipal Code. Attached is a cost recovery assessment, which specifies the work done, including an itemized account of the costs and receipts for the performing the abatement, and the total amount of the assessment to be levied against the property, to wit, \$10,689.00. Pursuant to Rio Dell Municipal Code Section 8.10.320, you have already been provided over thirty (30) days to pay this sum to the City.

Notice is further given that, on April 21, 2026 at its regular public meeting scheduled for 6:00 PM or as soon thereafter as the matter can be heard, the Rio Dell City Council, located at 675 Wildwood Avenue, Rio Dell, California, will schedule a public hearing on whether to impose a lien on your property in an amount equal to the City's nuisance abatement costs. The public hearing will be scheduled for June 16, 2026. If the costs of abatement are imposed by the City Council following the public hearing, the City will impose the costs of abatement as a special assessment against your real property; and the special assessment may be collected at the same time and in the same manner as is provided for the collection of ordinary County taxes; and shall be subject to the same penalties, interest, under the same procedure for foreclosure and the sale in the case of delinquency as is provided for in ordinary County taxes.

Notice is further given that at public hearing on June 16, 2026 the City Council will hear and consider any objections and protests to the assessment. You may appear with an attorney or other representative, call and cross-examine witnesses, and present evidence on your behalf. Should the assessment be levied, the property may be sold after three years by the tax collector for unpaid delinquent assessments in accord with Rio Dell Municipal Code Section 8.10.330 and California Government Code Section 38773.5.

Mary Clark
Community Service Officer
Rio Dell Police Department

Date

