



## Legislation Details (With Text)

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**File created:** 3/19/2024      **In control:** BOARD OF SUPERVISORS  
**On agenda:** 3/26/2024      **Final action:**  
**Title:** 11:15 A.M. - Hearing on Account and Proposed Assessment for 7129 E State Hwy 20, Lucerne CA (APN 006-023-02)  
**Sponsors:** Water Resources  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Attachment 006-023-02 NOA

Date	Ver.	Action By	Action	Result
3/26/2024	1	BOARD OF SUPERVISORS		

### Memorandum

**Date:** March 26, 2024  
**To:** The Honorable Lake County Board of Supervisors  
**From:** Mitchell Breedlove, Water Resources Program Coordinator  
**Subject:** 11:15 A.M. - Hearing on Account and Proposed Assessment for 7129 E State Hwy 20, Lucerne CA (APN 006-023-02)

### Executive Summary:

Staff recommends the Board of Supervisors confirm the assessment of \$26,828.90, and direct staff to Record a Notice of Special Assessment Lien against the property. The cost of abatement services was \$24,900.00. The administrative costs for this case amounted to \$1,928.90.

### Property Description:

Property Owner: CERNOW EDWARD  
Property Address: 7129 E STATE HWY 20 LUCERNE  
APN: 006-023-02  
Zoning: SR, Suburban Reserve District  
Supervisory District: Eddie "EJ" Crandell

### Exhibit A - Parcel and Vicinity Map

### Abatement Summary:

Pursuant to Lake County Code (LCC) Chapter 13, Article VI, Section 13-42.1 - Upon completion of the abatement, the Board shall hear and consider the account and proposed assessment, together with objections and protests thereto. At the conclusion of the hearing, the Board may make such modifications and revisions of the proposed account and assessment as it deems just and may order the account and proposed assessment confirmed or denied, in whole or in part or as modified and revised. (LCC Chapter 13, Article VI, Section 13-42.1)

On January 21, 2021, during a shoreline survey of Clear Lake, the property located at 7129 E STATE HWY 20 Lucerne CA (property) was found to be in violation of the LCC and Lakebed Encroachment Lease. A violation letter was sent to the property owner on May 18, 2021.

- LCC Ch. 23-13. - Maintenance, Repair and Removal of Improvements.
- Lakebed Encroachment Lease - 13. Maintenance and Repair.

The property was an improved lot with a lakebed structure consisting of a pier and covered platform.

A Notice of Nuisance and Order to Abate (NONOTA) was issued against the property on November 16, 2022. The property owner reflected in the title is CHERNOW EDWARD (Chernow). Notices were posted on the property and mailed to Chernow's address reflected on county records. The notices were signed for and marked as received.

Due to the fact that the legal responsible party was not able or willing to correct the violation(s) within the 21 days given within the Notice of Nuisance and Order to Abate, Water Resources moved forward with the abatement process.

On May 30, 2023, an inspection and abatement warrant was issued by a County of Lake Superior Judge.

On June 1, 2023, an inspection of the property was conducted to observe the extent and scope of the violations that were occurring on the property. Our contractor who responded to RFQ 21-13 provided quotes on the lakebed structure abatement.

#### ***Exhibit B - Site Photos (taken January 21 2021)***

On June 2, 2023, the following quotes from the contractors were received:

- Lake Marine Construction - \$24,900.00

#### ***Exhibit C - Contractor RFQ Response/Invoice***

On September 15<sup>th</sup> 2021, invitation for bid number 21-13 Abatement Services for Lakebed Structures was posted on the Lake County Bids & RFPs website. All practicing local Class A Licensed Marine Contractors were contacted via phone and/or emailed about the RFQ posting. On September 25<sup>th</sup> 2021, the window for submission of questions closed. On September 27<sup>th</sup> 2021, the addendum of questions was posted on the Lake County Bids & RFPs website. On September 30<sup>th</sup> 2021, the RFQ proposal deadline was reached. The County received one bid on RFQ 21-13 from Lake Marine Construction. After speaking to other Class A Licensed Marine Contractors it was determined that re-advertising the project would not likely result in more bids. On October 15<sup>th</sup> 2021, Lake Marine

Construction was awarded a contract for abatement services of lakebed structures.

On June 8<sup>th</sup> 2023, the abatement was conducted by and which Lake Marine Construction removed the dilapidated lakebed structure causing said nuisance.

On June 26<sup>th</sup> 2023, compliance with the issued Notice of Nuance and Order to Abate was attained.

**Exhibit D - Post Abatement Site Photos (taken June 28<sup>th</sup> 2023)**

**Exhibit E - Task Sheet**

**If not budgeted, fill in the blanks below only:**

Estimated Cost: \_\_\_\_\_ Amount Budgeted: \_\_\_\_\_ Additional Requested: \_\_\_\_\_ Future Annual Cost: \_\_\_\_\_

**Purchasing Considerations** (check all that apply):

☐ Not applicable

☐ Fully Article X. <[https://library.municode.com/ca/lake\\_county/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH2AD\\_ARTXPU\\_S2-38EXCOBI](https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI)>- and/or Consultant Selection Policy <[http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+26+Procedures+Manual/Ch4\\_2021v2.pdf](http://lcnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+26+Procedures+Manual/Ch4_2021v2.pdf)>-Compliant (*describe process undertaken in "Executive Summary"*)

☐ Section 2-38 <[https://library.municode.com/ca/lake\\_county/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH2AD\\_ARTXPU\\_S2-38EXCOBI](https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH2AD_ARTXPU_S2-38EXCOBI)> Exemption from Competitive Bidding (*rationale in "Executive Summary," attach documentation, as needed*)

☐ For Technology Purchases: Vetted and Supported by the Technology Governance Committee <<http://lcnet.co.lake.ca.us/Assets/Intranet/Intranet+Forms/Information+Technology/AdvPlan.pdf>> ("Yes," if checked)

☐ Other (*Please describe in Executive Summary*)

**Consistency with Vision 2028** <<http://www.lakecountyca.gov/Government/Directory/Administration/Visioning/Vision2028.htm>>

(check all that apply):

☐ Not applicable

☐ Well-being of Residents

☒ Public Safety

☒ Disaster Prevention, Preparedness, Recovery

☐ Economic Development

☐ Infrastructure

☐ County Workforce

☐ Community Collaboration

☐ Business Process Efficiency

☒ Clear Lake

**Recommended Action:**

Staff recommends the Board of Supervisors confirm the assessment of \$26,828.90, and direct staff to Record a Notice of Special Assessment Lien against the property. The cost of abatement services was \$24,900.00. The administrative costs for this case amounted to \$1,928.90.