



**COUNTY OF LAKE**  
COMMUNITY DEVELOPMENT DEPARTMENT  
Courthouse - 255 N. Forbes Street  
Lakeport, California 95453  
Telephone 707/263-2221 FAX 707/263-2225

### STAFF REPORT

**TO:** Board of Supervisors

**FROM:** Robert Massarelli, Community Development Director  
Kathy Freeman, Code Enforcement Program Supervisor *KF*

**By:** Michael Penhall, Code Enforcement Officer *MP*

**SUBJECT:** Notice of Assessment & Lien Hearing for *The Iron Skillet Inc;*  
**January 10, 2017 @ 9:20 AM**  
Supervisory District 3

**Date:** December 7, 2016

**ATTACHMENTS:**

1. Notice of Nuisance and Order to Abate
2. Notice of Assessment
3. Proposed Notice of Lien
4. Contractor's Invoice(s)
5. Task Sheet

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#### **I. PROPERTY OUTLINE:**

Property Owner: The Iron Skillet Inc.  
Location: 12577 Widgeon Way, Clearlake Oaks CA  
APN: 035-132-36  
Zoning: "R1", Single-Family Residential  
Case #: 14-0132

#### **II. ABATEMENT SUMMARY**

On **July 24, 2016**, a Notice of Nuisance and Order to Abate was prepared and then posted at **12577 Widgeon Way Clearlake Oaks CA**, within the **Clearlake Oaks Subdivision 1**, and mailed, certified to the property owner of record due to a substandard structure. Several complaints had been filed by area residents. The Abatement Notice provided the owner(s) of **The Iron Skillet, Inc.** with 30 days to abate the property.

On **May 7, 2015** staff from Code Enforcement solicited and obtained bids for abatement of the substandard structure on the property. On **May 21, 2015** a local contractor who was the apparent low bidder was awarded the contract pending Board approval. The Lake County Board of Supervisors approved the contract in June of 2015 and the contractor

was notified soon after. Upon the contractor starting the demolition, it was revealed that there may be potential asbestos in the “blown in” type of attic insulation. Demolition was immediately stopped, the rubble was covered, the site secured and a complete Asbestos Containing Building Material (ACBM) study was conducted. The study indicated that there was ACBM in the floor tiles only which had “not” been disturbed. Due to the 2015 fires and availability of contractor(s) this project was delayed and not completed until 2016. On August 11, 2016 Code Enforcement staff was notified that the demolition was completed and a follow up site visit was conducted confirming the contractor had completed the work.

### III. RECOMMENDATION:

Staff recommends the Board of Supervisors confirm the assessment of **\$19,114.45** and direct staff to Record a Notice of Lien against the property. The cost of abatement services was **\$18,755.84**. The administrative costs on this case amounted to **\$358.61**.

#### **Sample Motion:**

I move that the assessment of **\$19,114.45** for nuisance abatement on property located at **12577 Widgeon Way Clearlake Oaks CA**, also known as Assessors Parcel Number **035-132-36**, and owned **by The Iron Skillet, Inc.** be confirmed and the Enforcement Official be directed to prepare and have recorded in the office of the Lake County Recorder, a Notice of Lien in the amount of **\$19,114.45** pursuant to Lake County Ordinance Code Chapter 13, Section 13-43.

# NOTICE OF NUISANCE AND ORDER TO ABATE

**PURSUANT TO LAKE COUNTY CODE, CHAPTER 13, Sections 13-6 ET. SEQ.**

**A      CASE NUMBER:                      14-0132**  
**OWNER(S) NAME:                The Iron Skillet Inc**  
**SITE ADDRESS:                    12577 Widgeon Way, Clearlake Oaks**  
**MAILING ADDRESS:                PO Box 1286 Los Gatos, CA 95030**

**ASSESSORS PARCEL NUMBER:    035-132-36**

**B      CONDITION CAUSING NUISANCE:** The above referenced property was inspected by the Building and Safety Inspector and determined to have a substandard structure in violation the State of California Health and Safety Code section 17920.3. In addition the abandoned dwelling is not secured and is open to unauthorized entry in violation of Lake County Ordinance 5-34, resulting in violations of the Lake County Code. Specifically, your property is in violation of the following Sections of the Lake County Zoning Ordinance: 21- 2.4(a) and 2.6(a); 21-9; and 21-68.4(a)8. These conditions constitute a public nuisance in accordance with Chapter 13, Section 3.1(e) of the Lake County Code.

**C      ORDER IS GIVEN TO COMMENCE ABATEMENT OF SAID NUISANCE WITHIN 30 DAYS (September 15, 2014) AND CORRECT THE NUISANCE CONDITIONS DESCRIBED ABOVE BY TAKING THE FOLLOWING ACTIONS:**

- 1)      Obtain a building permit within thirty (30) days of the date of this letter to either repair, rehabilitate, remove or demolish the above referenced building in compliance with the California Health and Safety Code section 17920.3 and the 2013 California Residential Code section 105.1.

**D      YOU ARE HEREBY NOTIFIED THAT IF YOU WISH TO SHOW ANY CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED AS A PUBLIC NUISANCE BY THE ENFORCEMENT OFFICIAL, YOU MUST REQUEST A PUBLIC HEARING BEFORE THE LAKE COUNTY BOARD OF SUPERVISORS BY COMPLETING A NUISANCE**

**ABATEMENT HEARING REQUEST FORM. SAID FORM IS AVAILABLE AT THE COMMUNITY DEVELOPMENT DEPARTMENT (LOCATED AT 255 N. FORBES STREET, LAKEPORT) AND MUST BE SUBMITTED ON OR BEFORE September 2, 2014. IF YOU FAIL TO REQUEST A NUISANCE ABATEMENT HEARING, ALL RIGHTS TO APPEAL ANY ACTION OF THE COUNTY TO ABATE THE NUISANCE WILL BE WAIVED.**

**E IF YOU FAIL TO CORRECT THE NUISANCE CONDITIONS BY THE DATE SPECIFIED IN SECTION C OF THIS NOTICE AND ORDER OR ANY SUBSEQUENT TIME EXTENSION GRANTED BY THE ENFORCEMENT OFFICIAL, AND/OR FAIL TO SUCCESSFULLY SHOW CAUSE WHY SUCH CONDITION SHOULD NOT BE ABATED AS SPECIFIED IN SECTION D OF THIS NOTICE, THE ENFORCEMENT OFFICIAL MAY RECORD THIS NOTICE AND ORDER AND MAY ABATE THE PUBLIC NUISANCE. THE COSTS OF SAID ABATEMENT WILL BE RECOVERED BY ONE OR MORE OF THE FOLLOWING MEANS:**

- 1) A CHARGE AGAINST THE PREMISES WITH THOSE COSTS MADE A SPECIAL ASSESSMENT AGAINST THE PREMISES. SAID 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 AND TO THE SAME PROCEDURES OF FORECLOSURE AND SALE IN THE CASE OF DELINQUENCY AS IS PROVIDED FOR ORDINARY COUNTY TAXES.**
- 2) PAID THROUGH A CODE ENFORCEMENT DEBT REDUCTION AGREEMENT THAT HAS BEEN NEGOTIATED WITH THE LAKE COUNTY TREASURER – TAX COLLECTOR.**
- 3) REFERRED TO A DEBT COLLECTION AGENCY LICENSED BY THE STATE OF CALIFORNIA IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 26220(a).**



Brandon Holleran, Building Inspector  
COMMUNITY DEVELOPMENT DEPARTMENT  
STATE OF CALIFORNIA  
COUNTY OF LAKE

DATED: August 11, 2014

# NOTICE OF ASSESSMENT

Notice is hereby given that the Lake County Board of Supervisors will hear and consider objections and protests to a proposed assessment to be levied to recover the cost of abating a nuisance on property owned by ***The Iron Skillet, Inc.*** The property is located at ***12577 Widgeon Way Clearlake Oaks CA***, being Assessor's Parcel Number **035-132-36**. The property is further described in Document Number **00523902** filed in the County Recorder of said Lake County on ***January 9, 1987.***

Notice is hereby given that abatement included the demolition of a substandard structure from this property.

FEES:	Administrative	<b>\$358.61</b>
	Abatement contract(s)	<b>\$18,755.84</b>

TOTAL ASSESSMENT	<b>\$19,114.45</b>
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The Enforcement Official will submit the account to the Board of Supervisors for confirmation on ***January 10, 2017, at 9:20 AM***, in the Board of Supervisors Chambers, Lake County 255 North Forbes Street, Lakeport, at which time and place the Board of Supervisors will hear and consider objections and protests to said account and proposed assessment.



Robert Massarelli,  
Community Development Director  
Community Development Department  
County of Lake

Date:

Cert. Mail # \_\_\_\_\_

AFTER RECORDING  
Please Return To:  
Lake County Community  
Development Department  
255 North Forbes Street  
Lakeport, Ca. 95453

*No fee Document- per Government code 27383*

NOTICE AND CLAIM OF LIEN FOR  
COSTS OF NUISANCE ABATEMENT

NOTICE IS HEREBY GIVEN that the County of Lake claims a lien for nuisance abatement costs pursuant to County Ordinance Code Chapter 13 of **\$19,114.45** against the real property situated in the County of Lake, California, commonly known as Assessor's Parcel Number **035-132-36-000** located at **12577 Widgeon Way, Clearlake Oaks, California** and more particularly described in Document **#00523902** of the County Recorder.

NOTICE IS HEREBY FURTHER GIVEN that a hearing pursuant to Lake County Ordinance Code, Chapter 13, Section 13-42 was held by the Lake County Board of Supervisors on the **10th day of January, 2017 at 9:20 AM** wherein the Board of Supervisors issued an order confirming the assessment of **\$19,114.45** (Case # 14-0132).

The last known property owner, **The Iron Skillet, Inc.** has been given notice of this lien as required by law.

WHEREFORE, the County of Lake claims a lien of **\$19,114.45** on the afore described property plus interest and other costs which may hereafter become due.

Dated:

I declare under penalty of perjury that the contents of this instrument are true and correct.

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Michael Penhall  
Code Enforcement Officer  
Community Development Department  
STATE OF CALIFORNIA  
COUNTY OF LAKE

**A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.**

On \_\_\_\_\_ before me, \_\_\_\_\_ personally appeared Michael Penhall who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_

COLEMAN CONSTRUCTION

P.O.Box 1020  
Upper Lake, CA 95485  
707-275-9016 Office  
707-275-9025 Fax

Invoice

Date	Invoice #
8/17/2015	4080

Bill To
County of Lake Attn: Mike Penhall 255 N. Forbes St Lakeport, CA 95453

		P.O. No.	Terms	Project	
			Due on receipt	12577 Widgeon Way...	
Item	Tag	Description	Qty	Rate	Amount
02 Site Work		8/7/15 Began Demolition and clean up of property at 12577 Widgeon Way, Clearlake Oaks, per contract.		0.00	0.00
		Completed 1/2 of Project: Mobil In and Out, Demolished Building, Dump Fees for one load		7,410.00	7,410.00
		NOTE: Work was postponed pending asbestos reports. Instructed by County to cover remaining debris.			
		Extra work due to postponement:			
		Labor #1 - Lay down poly covering	2	50.00	100.00
02 Site Work		Labor #2 - Lay down poly covering	2	50.00	100.00
Materials		6mil Black Poly		309.59	309.59
			Subtotal		
			USD 7,919.59		
			Sales Tax (0.0%)		
			USD 0.00		
			Total		
			USD 7,919.59		
			Payments/Credits		
			USD 0.00		
			Balance Due		
			USD 7,919.59		



COLEMAN ENVIRONMENTAL ENGINEERING,  
INC  
85 E HWY 20  
UPPER LAKE, CA 95485

Invoice

Date	Invoice #
8/11/2016	1608

Bill To
County of Lake 255 N. Forbes St. Lakeport, CA 95453

REC'D AUG 22 2016

P.O. No.	Terms	Project
		12577 Widgeon Way, Clear...

Quantity	Description	Rate	Amount
	Demolition and Clean up of Single Family Dwelling at 12577 Widgeon Way, Clearlake Oaks Price includes all Labor, Equipment, Mobilization, Demolition, including the foundation, removal of all debris, pump septic, and the cap inlet. Non-taxable	9,500.00  0.00%	9,500.00  0.00
CS #14-132 (NH)			
COPY		Total	\$9,500.00



502 E. Cotati Avenue #7137  
Cotati, CA 94931  
(707) 792-2873  
(707) 792-2680 Fax

FEIN# 01-0689492

# Invoice

DATE	INVOICE #
9/9/2015	13-3834

BILL TO
County of Lake Attn: Michael Penhall

SITE ADDRESS
12587 Widgeon Way Clearlake Oaks, CA

Work Order #	PO/Claim #	Project #	Project Name	Terms
		1508-481-1	Asbestos Survey	N. 15

QUANTITY	DESCRIPTION	RATE	AMOUNT
4.5	On-Site Consulting Hours, including Travel	95.00	427.50
27	Asbestos PLM Samples	20.00	540.00
2	Asbestos 400 Point Count	125.00	250.00
1.25	Assessment Report	95.00	118.75
CE CS# 14-0132			

Please review your invoice promptly and make check payable to Ci Environmental Consultants, Inc. A finance charge of 1.5% will be added to all overdue invoices.

We appreciate your business

**Total** \$1,336.25

**Date Due** 9/24/2015

\* COPY \*

		COUNTY OF LAKE COMMUNITY DEVELOPMENT DEPARTMENT  12577 Widgeon Way, Clearlake Oaks CA. Abatement; Case #14-0132 APN #035-132-36				
TASK SHEET						
INIT	DATE	TASK	TIME	RATE	EXT	SUBTOTAL CUMULATIVE
BH	07/21/2014	Initial Investigation	1.00	\$42.59	42.59	\$42.59
MP	07/24/2014	Prepare NONOTA	1.00	\$36.25	36.25	\$78.84
BH	08/11/2014	Post NONOTA	1.00	\$42.59	42.59	\$121.43
mp/jv	04/20/2015	Follow up site visit	1.00	\$77.76	77.76	\$199.19
mp	05/21/2015	Bid Prep, award of contract	1.00	\$36.25	36.25	\$235.44
mp	08/22/2016	Abatement, Site Visit	1.00	\$36.25	36.25	\$271.69
mp	12/07/2016	Prepare Staff Report & attachments	1.00	\$36.25	36.25	\$307.94
		Clerical Support	1.00	\$30.45	30.45	\$338.39
		Certified Mail	3.00		6.74	\$20.22
		<b>Sub Total Administrative Amount</b>				<b>\$358.61</b>
		<b>Contractor Invoices:</b>				
		<b>Ci Environmental (ACBM)</b>				<b>\$1,336.25</b>
		<b>Coleman Environmental</b>				<b>\$7,919.59</b>
		<b>Coleman Environmental</b>				<b>\$9,500.00</b>
		<b>TOTAL</b>				<b>\$19,114.45</b>