



Legislation Details (With Text)

File #: 20-1106 **Version:** 1 **Name:**
Type: Action Item **Status:** Agenda Ready
File created: 11/12/2020 **In control:** BOARD OF SUPERVISORS
On agenda: 11/17/2020 **Final action:**
Title: 11:15 A.M. - October 6, 2020 continuance of Hearing on Account and proposed Assessment for the property 12942 Second St., Clearlake Oaks, CA
Sponsors: Community Development
Indexes:
Code sections:
Attachments: 1. Exhibit 1, 2. Exhibit 2, 3. Exhibit 3, 4. Exhibit 4, 5. Exhibit 5

Date	Ver.	Action By	Action	Result
11/17/2020	1	BOARD OF SUPERVISORS	Adopted	Pass

Memorandum

Date: November 17, 2020
To: The Honorable Moke Simon, Chair, Lake County Board of Supervisors
From: Scott De Leon, Community Development Interim Director
Tocarra Thomas, Deputy Community Development Director
Andrew Williams, Code Enforcement Manager
Marcus Beltramo, Code Enforcement Officer
Subject: October 6, 2020 continuance of Hearing on Account and proposed Assessment for the property 12942 Second St., Clearlake Oaks, CA

Executive Summary: (include fiscal and staffing impact narrative):

On October 6, 2020, The Code Enforcement Division came before the Lake County Board of Supervisors (BOS) to give an account of the abatement action taken against the property located at 12942 Second St., Clearlake Oaks, CA (hereinafter, property) and the proposed assessment of costs for that abatement action. The BOS raised concerns regarding: (1) the costs of the gate and fence erected; (2) the authority to erect a fence; and (3) the costs difference between the quote and the invoice paid out. The concerns were raised in order to ensure the BOS approved the recordation of a "clean" and proper lien against the property.

Information/Facts:

Issue #1 - Costs of gate and fence materials:

Leonard's Hauling provided the following information regarding the costs of the materials for the gate and fence:

- 12ft metal gate - \$205.77
- 85 1x5x4 boards (fence) - \$341.42
- 6 4x4 fence posts - \$35.40
- 6 80 lbs bags of cement - \$33.54
- Total cost of gate and fence materials - \$613.13

Issue #2 - Authority to erect fence:

- 1) The Notice of Nuisance and Order to abate cited violations of Lake County Vacant Structure Ordinance contained in Chapter 5 of the Lake County Code. Pursuant to Chapter 5, Article VII, Section 5-35.1 (j) - “*The County Building Official may require the owner to erect a fence that meets the specifications of the Building Inspection Department on the property where the vacant structure is located. Any fence erected in accordance with this section shall be maintained in a safe condition without tears, breaks, rust, or dangerous protuberances.*”
- 2) Pursuant to Chapter 5, Section 5-4A 2019 California Building Code Section 116 - Unsafe Structures and Equipment - “*A vacant structure that is not secured against entry shall be deemed unsafe.*” The Chief Building Official may require a fence to secure an unsafe structure from being entered or occupied.

Issue #3 Costs difference between quote and final costs:

During the October 6, 2020 hearing, the BOS had concerns regarding the quote received from the contractor that was selected to perform the work, Leonard’s Hauling and the final invoice that was paid out. The Board was provided information the quote received from Leonard’s Hauling was for the amount of \$3,700. This information was found to be incorrect. In fact Leonard’s Hauling had submitted a second quote for the amount of \$4,400 (Leonard’s Hauling submitted two quotes). Code Enforcement selected Leonard’s Hauling quote for \$4,400, which was the lowest of the quotes received (JDM Earthworks submitted a quote for \$5,400.00; and Cook Construction submitted a quote for \$6,150.00). Leonard’s Hauling submitted an invoice in the amount of \$5,389.31. The difference between the invoice submitted by Leonard’s Hauling and invoice paid out is \$989.31.

Quote -	\$4,400
Invoice -	\$5,389.31
Difference -	\$989.31

Total Costs of Abatement:

The total cost of the abatement amounted to \$5,834.46. Cost of the abatement services was \$5,389.31. The administrative costs amounted to \$445.15

Costs of abatement plus administrative costs, minus the costs of the gate and fence materials amount to \$5,221.33.

If not budgeted, fill in the blanks below only:

Estimated Cost: \$5,834.46 Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 and/or Fiscal Crisis Management Plan (check all that apply):

☒ Well-being of Residents

☒ Public Safety

☐ Infrastructure

☐ Not applicable

☐ Technology Upgrades

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Disaster Recovery | <input type="checkbox"/> County Workforce | <input type="checkbox"/> <i>Revenue Generation</i> |
| <input type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake | <input type="checkbox"/> <i>Cost Savings</i> |

If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:

Which exemption is being requested?

How long has Agreement been in place?

When was purchase last rebid?

Reason for request to waive bid?

Recommended Action:

Staff recommends the Board of Supervisors confirm the assessment of \$5,834.46 and direct staff to Record a Notice of Lien against the property. The cost of abatement services was \$5,389.31. The administrative costs on this case amounted to \$445.15.