

MINUTES
CITY OF CLEARLAKE CITY COUNCIL
& REDEVELOPMENT SUCCESSOR AGENCY
REGULAR MEETING
MARCH 10, 2016

CALL TO ORDER REGULAR CITY COUNCIL MEETING: 6:00 P.M.

Roll Call.

Present:

Russell Perdock, Mayor
Gina Fortino Dickson, Vice Mayor
Denise Loustalot, Councilmember
Joyce Overton, Councilmember
Bruno Sabatier, Councilmember

Staff:

Greg Folsom, City Manager
Ryan R. Jones, City Attorney
Tim Celli, Police Lieutenant
Melissa Swanson, City Clerk
Chris Becnel, Director of Finance
Lee Lambert, Building Official

INVOCATION/MOMENT OF SILENCE

Pastor Don Nieto gave the invocation.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

City Manager Folsom asked to change the agenda to allow introduction of the K-9 officers first because they were on duty, then have the Lower Lake Cheer presentation, then return to Lt. Celli's presentation. He further asked the Council to take Business Item #8, Recognition of Employees' Years of Service ahead of Item #7, Public Hearing to Confirm Assessments in the Total Amount of \$90,000.00 for Administrative Penalties for Failure to Abate Public Nuisances in Accordance with C.M.C. Sections 1-5, 1-9, 10-1.6, 10-1.7, 10-1.9, 10-1.12, 10-2.2(b), 10-2.4, 10-2.5, 10-2.6, 10-2.7, 10-2.8, 10-3.1, 10-3.3, 10-5, Resolution No. 2016-11.

ACTION: It was moved by Vice Mayor Fortino Dickson and seconded by Councilmember Overton to approve the agenda as amended. The motion passed with a unanimous voice vote.

PRESENTATION

1. Presentation by Lt. Celli of the Clearlake Police Department Annual Report, New Officers, New Traffic Enforcement Officer, and Employees and Volunteer of the Year

2. Proclamation Honoring the Lower Lake High School Cheerleading Team for Their First Place National Championship Win in Varsity Co-Ed Division 1 at the Jamz Nationals Cheerleading and Dance Competition in Las Vegas, NV on February 29, 2016

PUBLIC COMMENT

Terry Young spoke regarding receiving a Code Enforcement violation in regards to raising chicken and ducks on his property. He was referred to staff.

Consent Items

Recommended Action

- | | |
|---|---|
| 3. Warrant Registers | Receive and file |
| 4. Minutes of the February 25, 2016 meeting | Receive and file |
| 5. Minutes of the February 16, 2016 Lake County Vector Control District Meeting | Receive and file |
| 6. Consideration of Second Reading and Adoption of Ordinance No. 184-2016, an Ordinance of the City Council of the City of Clearlake Amending Chapter V, Section 10.9 "Skate Park Rules and Regulations" of the "Police Code" of the Clearlake Municipal Code | Hold the second reading of the ordinance, read it by title only, waive further reading and adopt Ordinance No. 184-2016 |

ACTION: It was moved by Councilmember Sabatier and seconded by Councilmember Overton to approve the Consent Calendar as presented. The motion passed with a unanimous roll call vote.

BUSINESS

(Business Item #8 taken out of agenda order)

8. Recognition of Employees' Years of Service

City Manager Folsom gave the staff report. There was no action taken by Council on this item.

PUBLIC HEARING

7. Public Hearing to Confirm Assessments in the Total Amount of \$90,000.00 for Administrative Penalties for Failure to Abate Public Nuisances in Accordance with C.M.C. Sections 1-5, 1-9, 10-1.6, 10-1.7, 10-1.9, 10-1.12, 10-2.2(b), 10-2.4, 10-2.5, 10-2.6, 10-2.7, 10-2.8, 10-3.1, 10-3.3, 10-5, Resolution No. 2016-11

Building Official Lambert gave the staff report. He further asked to remove Assessment No. 12, Location: 15626 33rd Ave. Clearlake, CA 95422, A.P.N.# 041-401-330, Owner: Henry, Herbert &

Sharon, Action(s): Failure to abate Public Nuisance, Administrative Penalty Assessment: \$5,000.00. The property changed owners and was cleared of violations.

ACTION: Councilmember Sabatier moved and Councilmember Loustalot moved to open the Public Hearing at 7:09 p.m. The motion passed with a unanimous voice vote.

The Assessments were taken in list order.

- 1. Location: 2944 5th St. Clearlake, CA 95422 A.P.N.# 038-173-350**
Owner: McNeil, Lois E Life Estate
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

There was no public comment on this assessment.

- 2. Location: 2810 7th St. Clearlake, CA 95422 A.P.N.# 038-171-570**
Owner: Giles, Joe L & Lucettese
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

The owner of the property sent a letter against the assessment which was read into the record (attached).

- 3. Location: 3162 9th St. Clearlake, CA 95422 A.P.N.# 038-153-170**
Owner: Dougan, Signa F
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

Janae Blake, the pending owner of the property, presented a letter to the Council and spoke against the assessment.

- 4. Location: 13940 Manakee Ave. Clearlake, CA 95422 A.P.N.# 039-113-080**
Owner: Richardson, Frank H & Louise Family Trustee
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$7,500.00

The owner of this property sent a letter against the assessment.

- 5. Location: 14070 Konocti St. Clearlake, CA 95422 A.P.N.# 039-065-180**
Owner: Gariepy, Richard C
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

There was no public comment on this assessment.

6. Location: 14101 Villa Way Clearlake, CA 95422 A.P.N.# 039-266-300
Owner: Sullivan, Shawna
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$7,500.00

There was no public comment on this assessment.

7. Location: 14095 Villa Way Clearlake, CA 95422 A.P.N.# 039-266-070
Owner: Palmero Drive LLC
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$7,500.00

There was no public comment on this assessment.

8. Location: 3528 Sycamore St. Clearlake, CA 95422 A.P.N.# 039-174-420
Owner: Hernandez, Ana L
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

The owner's son, Ernie (no last name given), spoke against the assessment.

9. Location: 14890 Laguna Ave. Clearlake, CA 95422 A.P.N.# 040-292-130
Owner: Bonds, Billie Raye & Raybuck, Kimberly Trustee
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$7,500.00

There was no public comment on this assessment.

10. Location: 16011 32nd Ave. Clearlake, CA 95422 A.P.N.# 041-191-440
Owner: Sires, Spencer & Barbara
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

The owner spoke against the assessment.

11. Location: 16133 31st Ave. Clearlake, CA 95422 A.P.N.# 041-192-410
Owner: Jones, Lashaun
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

The owner's mother, Annie Jones, spoke against the assessment.

12. Location: 15626 33rd Ave. Clearlake, CA 95422 A.P.N.# 041-401-330
Owner: Henry, Herbert & Sharon
Action(s): Failure to abate Public Nuisance

Administrative Penalty Assessment: \$5,000.00

This item was removed from the assessment list as stated.

- 13. Location: 3688 Johnson Ave. Clearlake, CA 95422 A.P.N.# 039-453-430**
Owner: Farnan, Thomas James Jr. & Crystal May
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

The owner spoke against the assessment.

- 14. Location: 15190 Cass Ave. Clearlake, CA 95422 A.P.N.# 040-354-080**
Owner: Fuchs, Richard Jr.
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

The owner spoke against the assessment.

- 15. Location: 15238 Harbor Lane Clearlake, CA 95422 A.P.N.# 040-431-070**
Owner: Keller, Arthur K Trustee
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

Councilmember Overton recused herself from this assessment and left the dais at 8:16 p.m. and returned at 8:18 p.m.

The owner of the property sent a letter to the Council against the assessment.

- 16. Location: 4126 Lasky Ave. Clearlake, CA 95422 A.P.N.# 040-215-350**
Owner: McNeelan, Carl J
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

There was no public comment on this assessment.

- 17. Location: 5704 Huron Ave. Clearlake, CA 95422 A.P.N.# 041-292-210**
Owner: Austin, Greg
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

There was no public comment on this item.

- 18. Location: 4019 Sunset Ave. Clearlake, CA 95422 A.P.N.# 041-034-430**
Owner: Hollingsworth, Edward & Deveraux, Kam
Action(s): Failure to abate Public Nuisance

Administrative Penalty Assessment: \$5,000.00

There was no public comment on this item.

ACTION: It was moved by Vice Mayor Fortino Dickson and seconded by Councilmember Loustalot to close the Public Hearing at 8:19 p.m. The motion passed with a unanimous voice vote.

City Manager Folsom asked the Council to take Item #10 at this time, due to staff members on overtime being present to answer questions on the item.

10. Request for Approval of Emergency Replacement of Police Department Communications Radio Processor, Hardware and Installation

City Manager Folsom gave the staff report. Lt. Celli and Sgt. Snyder answered questions on the system.

ACTION: It was moved by Vice Mayor Fortino Dickson and seconded by Councilmember Loustalot to approve contract for emergency replacement of police equipment communications radio processor, hardware and installation per Clearlake Municipal Code Section 3-4, Purchasing and Sales, Subsection 3-4.12, Exceptions to Competitive Bidding Requirements. The motion passed with a unanimous roll call vote.

Council then reconvened Item #7.

Mayor Perdock reopened the public hearing at 8:59.

Chuck Leonard spoke in favor of the assessments.

Sheryl Almon spoke regarding the assessment process.

Pete Loustalot spoke regarding the assessment process.

Janae Blake spoke regarding the assessment process.

ACTION: It was moved by Councilmember Sabatier and seconded by Vice Mayor Fortino Dickson to adopt Resolution No. 2016-11, for properties #1 through #11, and #13 and #14 listed above, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE CONFIRMING SPECIAL ASSESSMENTS CONSISTING OF ADMINISTRATIVE PENALTIES FOR FAILURE TO ABATE PUBLIC NUISANCE AND APPROVING LIEN AGAINST REAL PROPERTY IN ACCORDANCE WITH SECTIONS 1-5, 1-9, 10-1.6, 10-1.7, 10-1.9, 10-1.12, 10-2.2(b), 10-2.4, 10-2.5, 10-2.6, 10-2.7, 10-2.8, 10-3.1, 10-3.3, AND 10-5 OF THE CLEARLAKE MUNICIPAL CODE. The motion passed with a 4-1 roll call vote, with Councilmember Overton against.

ACTION: It was moved by Councilmember Sabatier and seconded by Vice Mayor Fortino Dickson to adopt Resolution No. 2013-12 for property #15 listed above, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE CONFIRMING SPECIAL ASSESSMENTS CONSISTING OF ADMINISTRATIVE PENALTIES FOR FAILURE TO ABATE PUBLIC NUISANCE AND APPROVING LIEN AGAINST REAL PROPERTY IN ACCORDANCE WITH SECTIONS 1-5, 1-9, 10-1.6, 10-1.7, 10-1.9, 10-1.12, 10-2.2(b), 10-2.4, 10-2.5, 10-2.6, 10-2.7, 10-2.8, 10-3.1, 10-3.3, AND 10-5 OF THE CLEARLAKE MUNICIPAL CODE. The motion passed with a 4-0-1 roll call vote, with Councilmember Overton abstaining.

ACTION: It was moved by Councilmember Sabatier and seconded by Vice Mayor Fortino Dickson to allow the Council meeting to continue past 10:00 p.m. The motion passed with a unanimous voice vote.

BUSINESS

9. Consideration of Adoption of a Policy for Appointment of Board/Commission/Committee Members

City Clerk Swanson gave the staff report.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Loustalot to adopt the policy for appointment of Board/Commission/Committee Members. The motion passed with a unanimous roll call vote.

CITY MANAGER AND COUNCILMEMBER REPORTS

Councilmember Loustalot announced her resignation from the Council effective March 25, 2016. It was the consensus of the Council to discuss on a future agenda whether to appoint or elect her successor.

FUTURE AGENDA ITEMS

ACTION: Councilmember Sabatier asked for and received consensus to discuss the code enforcement process.

ADJOURNMENT

There being no further business of the Council, the meeting was adjourned at 10:27 p.m.

Melissa Swanson, City Clerk

Joe L Giles
7549 Candlewood way
Sacramento, Ca. 95822

RECEIVED

MAR 14 2016

CITY OF CLEARLAKE

City of Clearlake
14050 Olympic Drive
Clearlake, California 95422

March 7, 2016

Notice is hereby given that I protest the proposed assessment on 2810 7th.st APN é 038-171-570.

I attempted to take of this matter in april 2015 when we were in Clearlake my wife became ill and we returned to Sacramento and she passed away on May 14, 2015. I am disabled and unable to return to the area at this time, More over I am unable to pay those penalties. I have had windows installed twice before and they keep breaking them out, However I beleave that better policing of the area and prosecuting of those type of crimes would better serve the area and we would not have to board up our windows.


joe l giles

March 10, 2016

To The City of Clearlake, Lake County, California.

Dear Clearlake City Council ,

My name is Janae Blake, I am Signa Dougans daughter, Signa passed away September 30 2004. I am responsible for the property this hearing is about. Location 3162 9th Street, A.P.N.# 038-153-170. in Clearlake, CA (*) =see attached pages

The date on the PUBLIC NUISANCE CITATION(*) is February 25, 2015. A letter mailed to Signa Dougan at 1725 Constitution Rd #5003 Pueblo, Colorado 81001 How or why the County Records Dept. shows the legal property owner on record, my Mother, Signa Dougan associated with that mailing address is a mystery? I became aware of the citation when Building Inspector/ Code Enforcement Officer Lee Lambert was seen stapling a copy on my corner fence post, taking a photograph of it and before I could stop him from leaving, he had driven away, that was on April 20th 2015. The citation stated the corrective actions were to be completed prior to May 20, 2015.*

It is imperative the City of Clearlake Council members know of the the neglect and distruction that occurred from the end of 2010 thru January of 2014..(*) I wrote Mr Lambert a letter in response to an ADMINITRATIVE CITATION

stapled to the same post. It was dated september 21, 2015. My letter was accepted by a Secratery in The City of Clearlake office stating Mr. Lambert would recieve it. In that letter I conveyed private and personal family matters, and said the public nuisance citation is being diligently attended to, an ongoing process. I made it clear, our financial ability doesn't fund cleaning up and repairing the damages. I also asked for Mr. Lambert to contact me by phone or mail to discuss the posted notices and the complaints in person

Honestly, I provided a home for my daughter and her two little girls thinking her and her baby daddy could get on their feet and provide a good home for their little family, I returned in January of 2014. I feel discribing this reminds me how unpleasent it was. So much has changed. It feels like we've made it past the point of being all work with no noticable changes. I live here and I am still cleaning up making it better all the time it. Making memories with my Granddaughters and enjoying how fantastic they are.

I do not understand what assessing administrative penalties means? I tolerate having trash accumulate, because If it comes down to buying propane so we have hot water and a way to cook our food or taking the trash to the dump, as discusting as it is, the trash waits, we seperate the gargage from the recycling, we compost everything thats edible and are continuing to do what we can. None of the original

complaint exists. I also have several landfill receipts .
However I have not had a Code Enforcement Officer or
Code Enforcement Representative contact me personally. I'm
not certain what it is I'm expected to do? I live at the address
this hearing is regarding and someone is usually home,
maybe instead of driving up and stapling a piece of paper to
the fence post, that person might take four or five more
steps and knock on the door, introduce themselves and have
a conversation, with information or helpful resources. This
is an invitation and a suggestion, I would appreciate the
City's concerns turned into an interest that resolves the
situation instead of feeling like I need to defend my family
for notions we intentionally failed to reach full voluntary
compliance. What happened to maintaining a professional
mannerism especially representing an official department
associated with county government?

Thank you for hearing my information. With much respect
to the City of Clearlake and City Council,

Respectfully yours,

A handwritten signature in cursive script that reads "Janae Blake". The signature is written in dark ink and is positioned at the bottom of the letter.

MAR 10 2016

CITY OF CLEARLAKE

Dear Clearlake City Council

This is in regards to Code Enforcement case #15-05-13/13940 Marabe Ave/ap#039-113-080.

My husband James Richardson after retiring two years ago for reasons of his health, and recently finding out he was being over medicated; to the point he could have very easily died and or become comatose on many occasions is on the road to recovery.

I am disclosing this to you only because along with in general weakness Jim has lost alot of his reasoning, concentration and memory to the point I am seriously considering getting a Power of Attorney.

During this process of abatement I was under the assumption that Jim had talked to C. E. and was told that until the "red tags" were placed on the mobil everything was okay. Upon receiving the last certified mail from you, I opened and read it for myself and when I questioned Jim about it he was totally confused.

The point to all of this is to ask for a month or two of grace

period for me to at least get the
removal process started as being on
a fixed income it will take a few weeks
to be able to get the permit for demolition
Please consider my request.

Thank-you for your time and
patience.

Sincerely

Lisa Richardson

RECEIVED

March 9, 2016

Clearlake City Council
14050 Olympic Drive
Clearlake, CA

MAR 10 2016

MS
CITY OF CLEARLAKE

RE: 15238 Harbor Lane
Clearlake, CA 95422

I have completed the clean-up at the above address as of 3/9/16. I met with the Code Enforcement Officer at the property on 2/22/16 when she informed me that the clean-up was not complete. I asked her for specific items that needed to be removed, and she stated that tools and equipment needed to be stored neatly. She also stated that further questions should be directed to Lee Lambert.

I attempted to contact Mr. Lambert at City Hall. Mr. Lambert was unavailable on 2/23 and 2/25. With time of the essence, I sent Mr. Lambert an email on 2/29/16. The text follows:

Lee:

I own and live at the house at 15238 Harbor Lane, Clearlake, CA, 95422. I met with the Code Enforcement Officer at my address on 2/22/16. I told her I had completed the removal of the items covered by the Code Enforcement Notice. I removed an old stove, some debris, and some left over building material. I also built a privacy screen since I don't have a garage door.

The Officer stated that I could not have my tools and equipment on the carport covered in tarps for protection. So now that I understand the specifics, I will complete the property clean-up to the Officer's satisfaction. I stopped at your office on 2/23/16 and 2/25/16 to arrange for an extension of time to complete the work and you were not available.

The Officer mentioned that she thought my vehicles were inoperable because she didn't see them move. I assure you that they operate and can move them if need be. Right now I'm using my main construction truck for all my work.

The Notice was mailed to the mailing address in Forestville. As you know from meeting with me for building inspections, I have been working in Clearlake. Sometimes I only get my Forestville mail once a month. I am not ignoring the problem.

Please allow me the time to finish the clean-up in March. It will be completed. I am away this week to tend to a death in the family and I will begin with a clean-up and dump run when I return this weekend.

Sincerely,

Arthur Keller
(707)326-0019

I didn't receive a reply so I carried out my plan as stated. The weekend beginning 3/5/16 was rainy. I did as much as I could between downpours. I have continued on and believe I have cleaned everything as I understand it from the code enforcement letter.

The officer did not list specifically the items she found in violation, so I got rid of everything that I didn't use for work. I kept some equipment, tools, and supplies. What is remaining on my carport behind the privacy screen is a bicycle, bicycle trailer, trash containers, saw horses, lawn mower, and two shelves of nails, screws, and other fasteners.

If my neighbors complained of my appearance as the officer stated, I believe it is now acceptable for viewing.

I ask that you forego the fine and recognize that I have cooperated with the code and City Officials. I acknowledge that I was tardy in keeping up with the communication. The City followed its guidelines for notification, and it was my circumstance that delayed me being informed.

If the spirit of the code is to improve the look of the community through cooperation, then I believe I have met that standard. If anything further needs to be done, I will gladly comply.

Thanks,
Art Keller

Clean-up Complete



Clean Yard



Dump Load





