



# AGENDA

## REGULAR MEETING OF THE LAKEPORT CITY COUNCIL

(ALSO MEETS AS THE CITY OF LAKEPORT MUNICIPAL SEWER DISTRICT, THE LAKEPORT INDUSTRIAL DEVELOPMENT AUTHORITY, THE MUNICIPAL FINANCING AGENCY OF LAKEPORT and THE SUCCESSOR AGENCY TO THE LAKEPORT REDEVELOPMENT AGENCY)

Tuesday, September 6, 2016

City Council Chambers, 225 Park Street, Lakeport, California 95453

*Any person may speak for three (3) minutes on any agenda item; however, total public input per item is not to exceed 15 minutes, extended at the discretion of the City Council. This rule does not apply to public hearings. Non-timed items may be taken up at any unspecified time.*

- I. **CALL TO ORDER & ROLL CALL:** 6:00 p.m.
- II. **PLEDGE OF ALLEGIANCE:**
- III. **ACCEPTANCE OF AGENDA:** Move to accept agenda as posted, or move to add or delete items.  
Urgency Items: To add item, Council is required to make a majority decision that an urgency exists (as defined in the Brown Act) and a 2/3rds determination that the need to take action arose subsequent to the Agenda being posted.
- IV. **CONSENT AGENDA:** *The following Consent Agenda items are expected to be routine and noncontroversial. They will be acted upon by the Council at one time without any discussion. Any Council Member may request that any item be removed from the Consent Agenda for discussion under the regular Agenda. Removed items will be considered following the Consent Calendar portion of this agenda.*
- A. Ordinances: Waive reading except by title, of any ordinances under consideration at this meeting for either introduction or passage per *Government Code* Section 36934.
- B. Minutes: Approve minutes of the regular City Council meeting of August 16, 2016.
- C. Application 2016-023: Approve Application No. 2016-023 with staff recommendations, for the Annual Sponsoring Survivorship Fun Walk/Run to take place October 1, 2016.
- D. Rejection of Claim 2016-002: Reject Claim 2016-002 filed by Vicki Jeffers, as recommended by REMIF.
- E. Rejection of Claim 2016-003: Reject Claim 2016-003 filed by Gregg Thayer, as recommended by REMIF.
- V. **PUBLIC PRESENTATIONS/REQUESTS:**
- A. Citizen Input: *Any person may speak for 3 minutes about any subject within the authority of the City Council, provided that the subject is not already on tonight's agenda. Persons wishing to address the City Council are required to complete a Citizen's Input form and submit it to the City Clerk prior to the meeting being called to order. While not required, please state your name and address for the record. NOTE: Per Government Code §54954.3(a), the City Council cannot take action or express a consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda.*
- Presentation: National Night Out Presentation of Certificates of Appreciation to the Generous Sponsors of the 2016 National Night Out Block Party held August 2, 2016
- Presentation: Annual City Fireworks Display Presentation of Certificates of Appreciation to Bruno's Shop Smart, the Lake County Chamber of Commerce and the Lakeport Main Street Association for their generous fundraising campaigns to support the Annual Lakeport Fourth of July Fireworks Display.
- VI. **COUNCIL BUSINESS**
- A. Chief of Police
1. Fourth of July After Action Report: Receive and file the 2016 Police After Action Report on the Independence Day Fireworks Operations.
- B. Community Development Director
1. Weed Abatement: Approve the proposed resolution declaring dry weeds, brush and similar vegetation creating a fire hazard upon vacant and large lots throughout the City to constitute a public nuisance and direct staff to utilize the Administrative Citation procedures outlined in Chapter 8.30 of the Lakeport Municipal Code to abate said public nuisance weeds
- VII. **CITY COUNCIL COMMUNICATIONS**
- A. Miscellaneous Reports, if any:

**VIII. ADJOURNMENT:**

## Adjourn

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 225 Park Street, Lakeport, California, during normal business hours. Such documents are also available on the City of Lakeport's website, [www.cityoflakeport.com](http://www.cityoflakeport.com), subject to staff's ability to post the documents before the meeting.

The City of Lakeport, in complying with the *Americans with Disabilities Act (ADA)*, requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk's Office, (707) 263-5615, 72 hours prior to the scheduled meeting to ensure reasonable accommodations are provided.

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Hilary Britton, Deputy City Clerk

# MINUTES

## REGULAR MEETING OF THE LAKEPORT CITY COUNCIL

(ALSO MEETS AS THE CITY OF LAKEPORT MUNICIPAL SEWER DISTRICT, THE LAKEPORT INDUSTRIAL DEVELOPMENT AUTHORITY, THE MUNICIPAL FINANCING AGENCY OF LAKEPORT and THE SUCCESSOR AGENCY TO THE LAKEPORT REDEVELOPMENT AGENCY)

Tuesday, August 16, 2016

- I. **CALL TO ORDER & ROLL CALL:** Mayor Spillman called the regular meeting of the City Council of the City of Lakeport to order at 6:02 p.m. with Council Members Turner, Council Member Parlet, Council Member Mattina and Council Member Scheel present
- II. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Panette Talia.
- III. **ACCEPTANCE OF AGENDA:** A motion was made by Council Member Scheel, seconded by Council Member Mattina, and unanimously carried by voice vote, to accept agenda as posted, or move to add or delete items.
- Urgency Items: There were no urgency items.
- IV. **CONSENT AGENDA:** *The following Consent Agenda items are expected to be routine and noncontroversial. They will be acted upon by the Council at one time without any discussion. Any Council Member may request that any item be removed from the Consent Agenda for discussion under the regular Agenda. Removed items will be considered following the Consent Calendar portion of this agenda.*
- A. Ordinances: Waive reading except by title, of any ordinances under consideration at this meeting for either introduction or passage per *Government Code* Section 36934.
- B. Minutes: Approve minutes of the special City Council Meeting of July 12, 2016 and the regular City Council meeting of July 19, 2016.
- C. Warrants: Approve the warrant registers of August 5, 2016.
- D. Application 2016-020: Approve Application No. 2016-020 with staff recommendations, for the Annual Lake County Fair Opening Day Parade to take place September 1, 2016.
- E. Application 2016-021: Approve Application No. 2016-021 with staff recommendations, for the Annual Splash-In event, to take place September 16-17, 2016.
- F. Application 2016-022: Approve Application No. 2016-022 with staff recommendations for the 2016 Catfish Derby to be held August 26-27, 2016.
- G. Memorandum of Understanding: Adopt a proposed resolution approving the Memorandum of Understanding between the Lakeport Employees Association for the period August 16, 2016 through June 30, 2017, and authorizing its execution.
- Lakeport Employee's Association:
- H. Appropriations Limit: Approve the appropriations limit of \$11,109,063 for Fiscal Year 2016-17 for the City of Lakeport and adopt the proposed resolution.
- I. Bevins Court Parking Lease: Approve the lease for fair parking at 902 Bevins Court with the 49th District Agricultural Association and authorize the City Manager to execute the lease.
- J. Temporary Handicap Parking: Approve the designated temporary disabled parking in the 200 block of C Street, between South Forbes Street and the C street gate to the Fairgrounds, from 4:00 p.m. on Thursday, September 1st to Midnight on Sunday, September 4th, 2016.
- K. Conflict of Interest Code Review: Receive and file the 2016 Local Agency Biennial Notice regarding the City of Lakeport's Conflict of Interest Code.
- L. Ordinance Adoption: Conduct a second reading of an ordinance of the City Council of the City of Lakeport imposing a transactions and use tax of one cent to be administered by the State Board of Equalization.
- Vote on Consent Agenda: A motion was made by Council Member Mattina, Seconded by Council Member Turner, and unanimously carried by voice vote, to approve the consent agenda, Items A-L.
- V. **PUBLIC PRESENTATIONS/REQUESTS:**

- A. Citizen Input:
- Melissa Fulton presented a donation from the Add a Dollar Campaign through the Chamber of Commerce and Brunos Shop Smart for over \$5000 for the Annual Fireworks Display in Library Park.
- Tony Barthel thanked the City of Lakeport for its instrumental assistance with the Lakeside Car and Boatshow. The event was very successful with local businesses benefiting from the event. They raised over \$7000 for Operation Tango Mike.
- Presentation: LMSA
- Barbara Bruenig and Panette Talia of Lakeport Main Street Association presented a donation of \$1,000 for the Annual Fireworks Show in Library Park.
- Presentation: Road Criterium Bike Racing
- Dave Garzoli of the Main Street Elite Bicycle Team gave a presentation on road criterium bicycle racing. The group would like to sponsor such an event in downtown Lakeport July 15, 2017. The event would promote cycling, provide an exciting spectator event, and bring tourists and riders to the County.

## VI. COUNCIL BUSINESS

- A. Police Lieutenant:
1. School Resource Officer:
- The staff report was presented by Chief Rasmussen, noting an addition to the language related to prorating the cost. A motion was made by Council Member Scheel, seconded by Council Member Parlet, and unanimously carried by voice vote, to approve proposed Memorandum of Understanding between the Lakeport Unified School District and the City of Lakeport for the services of a School Resource Officer and authorize the City Manager to sign.

## VII. CITY COUNCIL COMMUNICATIONS

- A. Miscellaneous Reports, if any:
- City Manager Silveira stated that CALFire has requested the use of the lot on Bevins Court for staging vehicles.
- Interim Finance Director Feth-Michel stated that she is getting acclimated and has started the audit process.
- Community Development Director Ingram announced that a public outreach meeting for the Lakefront Revitalization plan will take place August 31 at 6 p.m. in the City Council Chamber. Further, the Downtown project is moving along. Contractors encountered direct burial PG&E cables that had to be dealt with by PG&E, causing some delay.
- Council Member Turner will be touring low income housing in Arcata at the League meeting. She will attend Taste of Lakeport. She also commended County first responders, specifically Public Information Officer Steve Brooks, she also appreciated ongoing updates to the Lake OES Facebook page. In addition she expressed her appreciation of Lake County News' coverage.
- Council Member Mattina thanked Chief Rasmussen and staff for the National Night Out block party, and reported that the event was a great success.
- Council Member Parlet attended the Shakespeare in the Park event, which was well attended and people enjoyed.
- Council Member Scheel will be attending the League Division meeting next week. He has spent a lot of time at the Fairgrounds supporting fire personnel for the Clayton Fire. The Fairgrounds may be requesting assistance from the public for the fair.
- Mayor Spillman also praised the Lakeport Police Department for the National Night Out event, which was well received. He will be attending the Police Academy graduation to support the City's two Police Officer Trainees on their matriculation from the Academy.

## VIII. ADJOURNMENT:

Mayor Spillman adjourned the meeting at 7:00 p.m.

\_\_\_\_\_  
Marc Spillman, Mayor

Attest:

\_\_\_\_\_  
Kelly Buendia, City Clerk



USE OF ALCOHOL: Is a permit for alcoholic beverages requested?  Yes  No

If you have checked yes, you must obtain a signed permit from the Lakeport Police Department and attach it to this application. This will allow for consumption of alcoholic beverages in connection with the event but will NOT allow for the SALE of alcoholic beverages. If alcoholic beverages are going to be sold or included with the price of any ticket or admission to the event, then the applicant is required to obtain a one-day license from the California Department of Alcoholic Beverage Control. This one-day permit would be required in addition to a permit by the Lakeport Police Department.

### HOLD HARMLESS AGREEMENT

In consideration of allowing the event(s) specified in this application, and to the fullest extent permitted by law, I/we agree to indemnify and hold harmless the City of Lakeport, its officers, agents, employees, and volunteers against and from any and all liability claims, lawsuits, damages, losses, expenses, and costs brought for, or on account of, injuries to or death of any person or persons, including myself and this organization, or damage to or destruction of property, arising out of, or other occurrence during or in connection with the foregoing event(s).



Signature of Applicant  
Responsible Official of Applicant Organization

Dated: 7-18-16

### STAFF RESPONSE

This section to be completed by City and Other Affected Agencies:

Staff Name:		Department:	
<input type="checkbox"/> No Fiscal Impact	<input type="checkbox"/> Fiscal Impact (Describe/Include Estimated Costs)	<input type="checkbox"/> Police <input type="checkbox"/> Public Works <input type="checkbox"/> Parks	<input type="checkbox"/> Other (please specify):
The following will be Required:			
<input type="checkbox"/> Business License		<input type="checkbox"/> Health Department Permit	
<input type="checkbox"/> ABC License		<input type="checkbox"/> Other (Specify):	
Staff Comments:			

This section to be completed by City Clerk following Council meeting:

Considered at Council Meeting (Date):	<input type="checkbox"/> Application Approved <input type="checkbox"/> Application Denied <input type="checkbox"/> Application Approved With Conditions (See Below)
Conditions of Approval:	

Attachments (specify):





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
08/11/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HCC Specialty 401 Edgewater Place, Suite 400 Wakefield, MA 01880	CONTACT NAME:		
	PHONE (A/C, No, Ext):	FAX (A/C, No):	
INSURED Sponsoring Survivorship 500 N Main St. Lakeport, CA 95453	E-MAIL ADDRESS:		
	PRODUCER CUSTOMER ID #:		
	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A:	New Hampshire Insurance Company	23841
	INSURER B:	United States Fire Insurance Company	21113
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	X		SEL014579710	08/11/2016	10/02/2016	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Host Liquor						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
B	Medical Expense			US577580	08/11/2016	10/02/2016	MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PERSONAL & ADV INJURY \$ 1,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DEDUCTIBLE						\$
	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						W/C STATU-TORY LIMITS <input type="checkbox"/> OTH - ER <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)**

The Certificate Holder is added as Additional Insured with respects to our Insured's operations only.  
 This insurance is primary and non-contributory as required by written contract.  
 This coverage is with respect to Sponsoring Survivorship 2016 event to be held 10/1/2016 - 10/1/2016 at City of Lakeport Lakeport CA

**CERTIFICATE HOLDER**

County of Lakeport  
255 North Forbes Street  
Lakeport, CA 95453

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

**From:** [jferguson@lakeportpolice.org](mailto:jferguson@lakeportpolice.org)  
**To:** [Hilary Britton](#)  
**Subject:** Re: Application 2016-023 - Sponsoring Survivorship Walk/Run  
**Date:** Thursday, August 25, 2016 4:00:51 PM  
**Attachments:** [image002.png](#)

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## No police concerns

A true hero is not defined simply by the uniform he or she is wearing but rather the person who's wearing it!

-----Original Message-----

**From:** Hilary Britton [mailto:[hbritton@cityoflakeport.com](mailto:hbritton@cityoflakeport.com)]  
**Sent:** Thursday, August 25, 2016 03:43 PM  
**To:** Amanda Frazell (Dean.Eichelmann@lakecountyca.gov), Cheryl Bennett ([cheryl.bennett@lakecountyca.gov](mailto:cheryl.bennett@lakecountyca.gov)), 'Cynthia Ader', 'Daniel Chance', 'Doug Grider', 'Executive Management', 'Gary Basor', 'Jason Ferguson', 'Jim Kennedy', 'Linda Sobieraj', Lori Price ([lorip@co.lake.ca.us](mailto:lorip@co.lake.ca.us)), Mark Wall ([mwaconsulting@comcast.net](mailto:mwaconsulting@comcast.net)), 'Matt Hartzog', 'Mike Sobieraj', Pheakdey Preciado ([pheakdey.preciado@lakecountyca.gov](mailto:pheakdey.preciado@lakecountyca.gov)), 'Rebekah Dolby', 'Ron Ladd', Tina Rubin ([Tina.Rubin@lakecountyca.gov](mailto:Tina.Rubin@lakecountyca.gov))  
**Subject:** Application 2016-023 - Sponsoring Survivorship Walk/Run

Hi all,

Please find attached Application 2016-023 - Sponsoring Survivorship Walk/Run for your review.

We would like to submit this for Council approval at the 09/06/2016 meeting, so please have your comments back to me by 08/23/2016.

Thanks, as always, for your input.

Hilary Britton  
Deputy City Clerk  
City of Lakeport  
225 Park Street  
Lakeport, CA 95453  
(707) 263-5615 x12  
[hbritton@cityoflakeport.com](mailto:hbritton@cityoflakeport.com)



This email checked with McAfee SaaS.

**From:** [Lori Price](#)  
**To:** [Hilary Britton](#)  
**Subject:** RE: Application 2016-023 - Sponsoring Survivorship Walk/Run  
**Date:** Friday, August 26, 2016 8:42:10 AM  
**Attachments:** [image002.png](#)

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Good morning Hilary,

I have reviewed the above subject application and find that it will impact County roads. I have been in contact with Julie Kelley and she is in the process of obtaining a County use permit for our portion of her route. Our conditions will be spelled out in that application. Lake County DPW is in full support of this event.

If you have any additional questions or concerns, please feel free to contact me.

Sincerely,

Lori Price  
Secretary III  
Lake County Department of Public Works  
255 N. Forbes Street, Rm 309  
Lakeport, CA 95453  
(707) 263-2341  
[lorip@co.lake.ca.us](mailto:lorip@co.lake.ca.us)

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**From:** Hilary Britton [mailto:[hbritton@cityoflakeport.com](mailto:hbritton@cityoflakeport.com)]  
**Sent:** Thursday, August 25, 2016 3:43 PM  
**To:** Dean Eichelmann; Cheryl Bennett; Cynthia Ader; Daniel Chance; Doug Grider; Executive Management; Gary Basor; Jason Ferguson; Jim Kennedy; Linda Sobieraj; Lori Price; Mark Wall ([mwaconsulting@comcast.net](mailto:mwaconsulting@comcast.net)); Matt Hartzog; Mike Sobieraj; Pheakdey Preciado; Rebekah Dolby; Ron Ladd; Tina Rubin  
**Subject:** Application 2016-023 - Sponsoring Survivorship Walk/Run

Hi all,

Please find attached Application 2016-023 - Sponsoring Survivorship Walk/Run for your review.

We would like to submit this for Council approval at the 09/06/2016 meeting, so please have your comments back to me by 08/23/2016.

Thanks, as always, for your input.

Hilary Britton  
Deputy City Clerk  
City of Lakeport  
225 Park Street  
Lakeport, CA 95453  
(707) 263-5615 x12





# CITY OF LAKEPORT

225 Park Street  
Lakeport, CA 95453

Phone: (707) 263-5615, Ext. 12  
Fax: (707) 263-8584

## APPLICATION FOR USE OF PUBLIC AREAS

Please note: City Council meetings are held the FIRST and THIRD TUESDAY of the month. Application forms require City Council approval and must be completed and submitted to the City Clerk at least ten working days before the Council meeting at which they will be considered.

This section to be completed by City:

R# 34056

Application Received (Date): 8-15-16	Application No.
<input checked="" type="checkbox"/> \$15.00 Application Fee Paid	For Council Meeting of (Date):

This section to be completed by Applicant (please answer all questions):

Applicant Name: Shirley Crawford		Organization Name: Sponsoring Sumowship	
Address: PO Box 1924 Lakeport Cal 95453		Address: same	
Home Phone: 707 279-1364	Work Phone: 707 9720296	Mobile Phone: 707 9720296	
Email Address: Kelleyssports@comcast.com			
Other Contact: Julie		Phone for Other Contact: 707 279-0881	
Organization is: <input checked="" type="checkbox"/> Nonprofit Organization <input type="checkbox"/> For Profit Organization			

Name of Event: Sponsoring Sumowship
Description of Event: Fun walk, run for local women/men with breast cancer
Specific Location of Event (Map Must be Attached): Main Street Lakeport
Does this use involve public right of way, streets, or sidewalk? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please indicate specific location:
If requesting closure of streets, sidewalk, etc., please describe notification procedure for affected businesses and/or residences:

Date(s) of Event: Oct 1st 2016	Total Number of Days: 1	Set Up Time: 6:00AM Time of Event: 6:00AM Tear Down Time: 11:30AM
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Specify anticipated number of people (both participants and the public): 200 - 300

Will any vendors be present? Yes  No  Will any food booths be present? Yes  No

<b>Requirements:</b> <input type="checkbox"/> Electricity (cannot be guaranteed by City) <input type="checkbox"/> Barricades <input type="checkbox"/> Street/Sidewalk Closures <input type="checkbox"/> No irrigation in park prior to event <input checked="" type="checkbox"/> Other (please specify): Fireman to start (U) Coordination of these requirements must be made through the Public Works Department: (707) 263-0751	<b>Specific City Staff Needs:</b> <input type="checkbox"/> Police <input type="checkbox"/> Public Works <input type="checkbox"/> Parks <input type="checkbox"/> Other (please specify):  The City reserves the right to bill applicant for related City costs.
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<b>Insurance Information:</b>		
Specify Insurance Company:		
Policy Number:	Expiration Date:	Limits of Coverage:
INSURANCE CERTIFICATE REQUIRED		
Note: The insurance certificate provided to the City by your organization's insurance company must name the City of Lakeport as an additional insured for the event specified in this application and must include a copy of any endorsements. The minimum coverage amount required is \$2,000,000. The certificate and endorsements must also be in a form acceptable to risk management and available for review 15 working days prior to the scheduled event.		

This is an ongoing annual event and I have no issues or concerns.

# CLAIM PROCESSING FORM

<b>Name of Claimant:</b> Vicki Jeffers	
<b>Date Claim Received:</b> 08/11/2016 <input checked="" type="checkbox"/> <b>Hand Delivered (date stamp)</b> <input type="checkbox"/> <b>By Mail (save envelope)</b>	<b>Is Claim:</b> <b>Timely?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Complete?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Claimant's Mailing Address: *</b> 7130 Butte Ct Nice, CA 95464	<b>Address to Send Notice: *</b> 7130 Butte Ct Nice, CA 95464
<b>Date/Time of Occurrence: *</b> 07/12/2016//2 pm	<b>Place of Occurrence: *</b> Corner of Smith Street and Martin Street
<b>Description of Occurrence: *</b> <b>Personal Injury</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Wrongful Death</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Property Damage</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Crop Damage</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Other:</b>	Car was parked in a field where City employees were working. A spark set off a wildfire in the field destroying the claimants vehicle and contents.
<b>Amount Claimed: *</b> \$10,000.00	<b>Is the amount claimed over \$10,000?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <b>Limited Civil Case</b> <input type="checkbox"/> <b>Unlimited Civil Case</b>
<b>Basis of Computing Amount:</b> None given	
<b>Signature/Date Included: *</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Claim Reviewed by:</b> M. Silveira and D. Ruderman	
<b>Claim Sent to REMIF on</b> 08/11/2016	<b>Claim Sent to Dept. Head on</b> 08/11/2016
<b>Instructions from REMIF:</b>	
<b>Date:</b> 09/01/2016	<b>Instruction:</b> Reject Claim per Mark Ferguson
<b>Date:</b>	<b>Instruction:</b>
<b>Date:</b>	<b>Instruction:</b>
<b>Actions Taken:</b>	
<b>Date:</b>	<b>Action Taken:</b>
<b>Date:</b>	<b>Action Taken:</b>
<b>Date:</b>	<b>Action Taken:</b>

\* If any of these items are missing, contact REMIF regarding possible insufficient claim

File with:

RECEIVED

City Clerk's Office  
City of Lakeport  
City Hall  
225 Park Street  
Lakeport, CA 95453

AUG 11 2016

BY Km

CLAIM FOR MONEY OR DAMAGES AGAINST THE CITY OF LAKEPORT

RESERVE FOR FILING STAMP

CLAIM NO. \_\_\_\_\_

RECEIVED

AUG 11 2016

CITY OF LAKEPORT  
OFFICE OF CITY CLERK

A claim must be presented, as prescribed by the Government Code of the State of California, by the claimant or a person acting on his/her behalf and shall show the following:

If additional space is needed to provide your information, please attach sheets, identifying the paragraph(s) being answered.

1. Name and Post Office address of the Claimant:

Name of Claimant: Vicki L. Jeffers  
Post Office Address: <sup>mailing address</sup> 7130 Butte Ct  
Nice CA 95464

2. Post Office address to which the person presenting the claim desires notices to be sent:

Name of Addressee: Vicki L. Jeffers Telephone: 707-262-2345  
Post Office Address: 7130 Butte Ct  
Nice CA 95464

3. The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.

Date of Occurrence: July 12, 2016 Time of Occurrence: approx 2 pm

Location: Corner of Smith St and Martin St. Lakeport

Circumstances giving rise to this claim: My Chevy Captiva 2012 was parked in the field of the property. The homeless man Gregg Thayer was going to a dr apt. I live half the time in my car. I was visiting my sister in the Lakerow apt. Gregg called and get out here. There was a city work truck and a back hoe working on Smith St. The men were cutting steel pipe. They did not have a water tender. They caused a spark that set the field on fire. I could not get my car out. It was a total loss. Gregg lost everything too.

4. General description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of the presentation of the claim.

2012 Chevy captiva, bag of tools, hammer, set of wrenches, adjustable wrenches, tape measure, Chalk, chalk, screwdrivers and other small tools, 2 bags of clothes, 2 sleeping bags, 2 pillows, Sony 1 year old laptop from Best Buy, Towels & work clothes, shoes, professional jumper cables, Tow strap, 50 cds, 3 bags of food, 3"x25' tiedown straps, cell phone + misc

5. The name or names of the public employee or employees causing the injury, damage, or loss, if known.

The fire captain didn't take thier names

6. **If amount claimed totals less than \$10,000:** The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed.

Amount Claimed and basis for computation: \$10,000.00 To get a reliable car + replace all my stuff. This amount could almost put me right. Plus I was in shock for 4 days and had no where to go.

**If amount claimed exceeds \$10,000:** If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case. A limited civil case is one where the recovery sought, exclusive of attorney fees, interest and court costs does not exceed \$25,000. An unlimited civil case is one in which the recovery sought is more than \$25,000. (See CCP § 86.)

<input type="checkbox"/> Limited Civil Case	<input type="checkbox"/> Unlimited Civil Case
---	---

**You are required to provide the information requested above in order to comply with Government Code §910.**

7. Claimant(s) Date(s) of Birth: 11-22-56

8. Name, address and telephone number of any witnesses to the occurrence or transaction which gave rise to the claim asserted:  
Homeless  
Gregg Thayer 707-349-5335, Casey Faust 525 Bevins ST office 213-7021  
Vicki Jeffers mailing address 7130 Butte Ct. Nice Ca 95464 212-2345  
Alec 525 Bevins ST #2 Lakeport 95483

9. If the claim involves medical treatment for a claimed injury, please provide the name, address and telephone number of any doctors or hospitals providing treatment:  
Ø

*If applicable, please attach any medical bills or reports or similar documents supporting your claim.*

10. If the claim relates to an automobile accident:

Claimant(s) Auto Ins. Co.:	Telephone:
Address:	Insurance Policy No.:
Insurance Broker/Agent:	Telephone:
Address:	
Claimant's Veh. Lic. No.:	Vehicle Make/Year:
Claimant's Drivers Lic. No.:	Expiration:

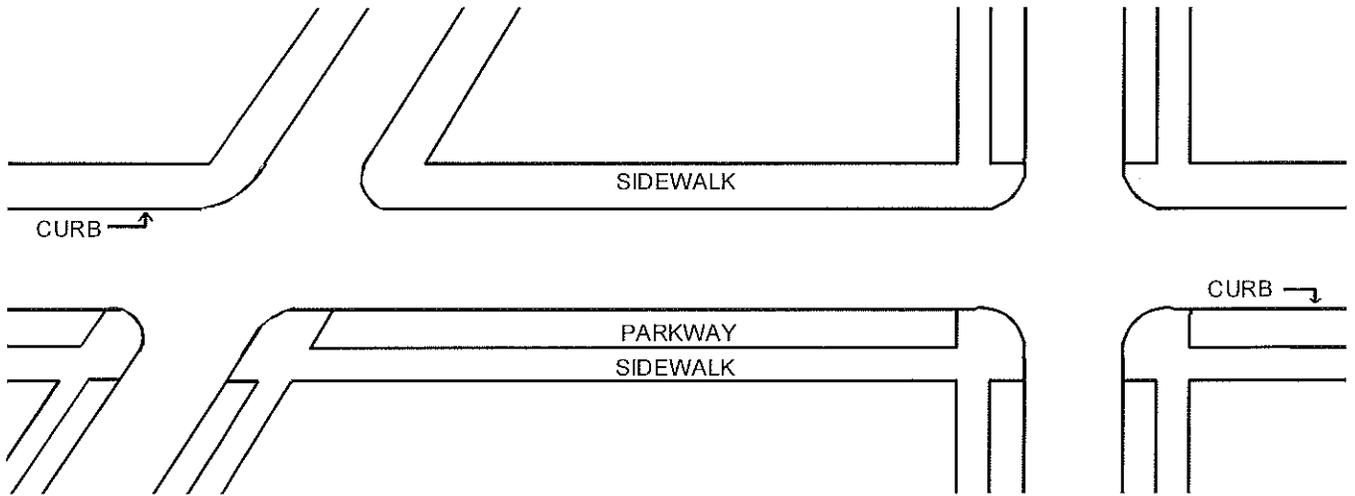
*If applicable, please attach any repair bills, estimates or similar documents supporting your claim.*

READ CAREFULLY

For all accident claims, place on following diagram name of streets, including North, East, South, and West; indicate place of accident by "X" and by showing house numbers or distances to street corners. If City/Agency Vehicle was involved, designate by letter "A" location of City/Agency Vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw City/Agency Vehicle;

location of City/Agency vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X."

NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.



**Warning:** Presentation of a false claim is a felony (*Penal Code §72*). Pursuant to *CCP §1038*, the City/Agency may seek to recover all costs of defense in the event an action is filed which is later determined not to have been brought in good faith and with reasonable cause.

Signature: *Vicki L Jeffers*

Date: *8-10-16*

## CLAIM PROCESSING FORM

<b>Name of Claimant:</b> Gregg Thayer	
<b>Date Claim Received:</b> 08/11/2016 <input checked="" type="checkbox"/> <b>Hand Delivered (date stamp)</b> <input type="checkbox"/> <b>By Mail (save envelope)</b>	<b>Is Claim:</b> <b>Timely?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Complete?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Claimant's Mailing Address: *</b> P.O. Box 1294 Lakeport, CA 95453	<b>Address to Send Notice: *</b> P.O. Box 1294 Lakeport, CA 95453
<b>Date/Time of Occurrence: *</b> 07/12/2016//2 pm	<b>Place of Occurrence: *</b> Corner of Smith Street and Martin Street
<b>Description of Occurrence: *</b> <b>Personal Injury</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Wrongful Death</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Property Damage</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Crop Damage</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Other:</b>	Car was parked in a field where City employees were working. A spark set off a wildfire in the field destroying the claimants belongings in the vehicle
<b>Amount Claimed: *</b> \$10,000.00	<b>Is the amount claimed over \$10,000?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <input type="checkbox"/> <b>Limited Civil Case</b> <input type="checkbox"/> <b>Unlimited Civil Case</b>
<b>Basis of Computing Amount:</b> None given	
<b>Signature/Date Included: *</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Claim Reviewed by:</b> M. Silveira and D. Ruderman	
<b>Claim Sent to REMIF on</b> 08/11/2016	<b>Claim Sent to Dept. Head on</b> 08/11/2016
<b>Instructions from REMIF:</b>	
<b>Date:</b> 09/01/2016	<b>Instruction:</b> Reject claim per Mark Ferguson
<b>Date:</b>	<b>Instruction:</b>
<b>Date:</b>	<b>Instruction:</b>
<b>Actions Taken:</b>	
<b>Date:</b>	<b>Action Taken:</b>
<b>Date:</b>	<b>Action Taken:</b>
<b>Date:</b>	<b>Action Taken:</b>

\* If any of these items are missing, contact REMIF regarding possible insufficient claim

File With:

City Clerk's Office  
City of Lakeport  
City Hall  
225 Park Street  
Lakeport, CA 95453

# CLAIM FOR MONEY OR DAMAGES AGAINST THE CITY OF LAKEPORT

RECEIVED

AUG 11 2016

BY KM

RESERVE FOR FILING STAMP

CLAIM NO. \_\_\_\_\_

RECEIVED

AUG 11 2016

CITY OF LAKEPORT  
OFFICE OF CITY CLERK

A claim must be presented, as prescribed by the Government Code of the State of California, by the claimant or a person acting on his/her behalf and shall show the following:

If additional space is needed to provide your information, please attach sheets, identifying the paragraph(s) being answered.

1. Name and Post Office address of the Claimant:

Name of Claimant: Gregory (Gregg) Thayer  
Post Office Address: mailing address ~~60150 Suenwood Blvd~~ ~~225 Park Street~~ ~~Lakeport, CA 95453~~ P.O. Box 1294  
Lakeport CA  
95453

2. Post Office address to which the person presenting the claim desires notices to be sent:

Name of Addressee: Gregory Thayer Telephone: 707-249-5335  
Post Office Address: mailing ~~60150 Suenwood Blvd~~ ~~225 Park Street~~ ~~Lakeport, CA 95453~~ P.O. Box 1294  
Lakeport CA 95453

3. The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.

Date of Occurrence: July 12, 2016 Time of Occurrence: \_\_\_\_\_  
Location: corner of Smith + Lakeport Martin LP approx 2pm  
Circumstances giving rise to this claim: I was at Vicki's Captin waiting to go to Dr. I watched the city truck and backhoe park in the middle of Smith St. They started cutting an old pipe sticking out of ground. They did not have a water tender. I watched them make sparks while cutting. I saw the fire cut fire. I called Vicki she come outside. as she began to turn to her car the wind picked up the flames and in second her car was burned

4. General description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of the presentation of the claim.

2 tool boxes of every hand tool mostly electrical (Klineal) DeWalt Battery power 20 volt drill guns & charger. 4 boxes of food, all hygien, Tent 7x9 mattress twin. Cord skill saw \$200 Indian Blanket, 3 other blankets, 2 pillows, Canning stove, all utensils, all clothing 7 pair undies, 6 pair jeans, 12 shirts, dress Cal-Hans, work boots 2 pair, tennis shoes alot of misc. Windows 10 Laptop 6 months old

5. The name or names of the public employee or employees causing the injury, damage, or loss, if known.

The fire captain did not take them. Just noted city workers

6. **If amount claimed totals less than \$10,000:** The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed.

Amount Claimed and basis for computation: \$10,000<sup>00</sup>. My tools are almost 10,000 & computer.  
I lost everything! I've lived there for 3 yrs. I collected alot of living expenses  
I would be able to have first and last for apt. Hopefully.

**If amount claimed exceeds \$10,000:** If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case. A limited civil case is one where the recovery sought, exclusive of attorney fees, interest and court costs does not exceed \$25,000. An unlimited civil case is one in which the recovery sought is more than \$25,000. (See CCP § 86.)

<input type="checkbox"/> Limited Civil Case	<input type="checkbox"/> Unlimited Civil Case
---	---

**You are required to provide the information requested above in order to comply with Government Code §910.**

7. Claimant(s) Date(s) of Birth:

12-11-68

8. Name, address and telephone number of any witnesses to the occurrence or transaction which gave rise to the claim asserted:

Gregory Thayer homeless (currently in hospital) 707-349-5335 mailing address  
525 Bevins St. #5 / Vicki Jeffers 7130 Burt Ct Nice CA 95464 707-262-2345  
Lakeport, CA 95453 / Casey Fouat 525 Bevins St office 263 700 / A/PC 525 Bevins St #2 LP 95453

9. If the claim involves medical treatment for a claimed injury, please provide the name, address and telephone number of any doctors or hospitals providing treatment:

0

*If applicable, please attach any medical bills or reports or similar documents supporting your claim.*

10. If the claim relates to an automobile accident:

Claimant(s) Auto Ins. Co.:

Telephone:

Address:

Insurance Policy No.:

Insurance Broker/Agent:

Telephone:

Address:

Claimant's Veh. Lic. No.:

Vehicle Make/Year:

Claimant's Drivers Lic. No.:

Expiration:

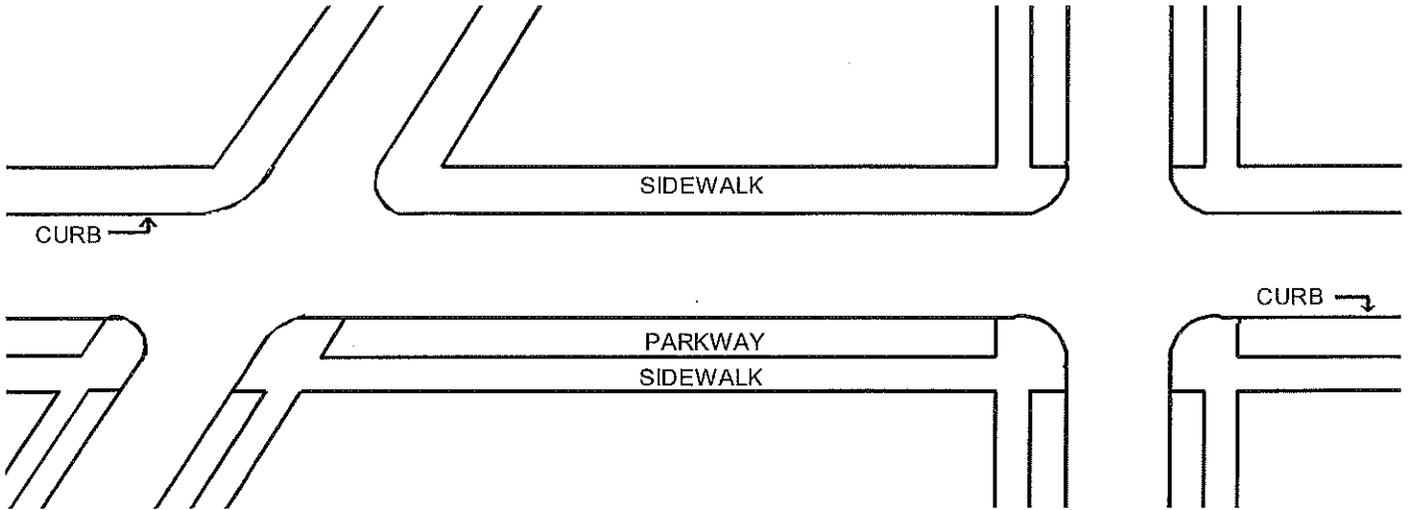
*If applicable, please attach any repair bills, estimates or similar documents supporting your claim.*

**READ CAREFULLY**

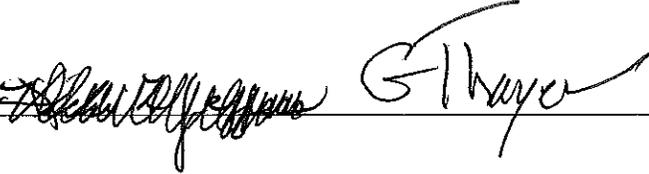
For all accident claims, place on following diagram name of streets, including North, East, South, and West; indicate place of accident by "X" and by showing house numbers or distances to street corners. If City/Agency Vehicle was involved, designate by letter "A" location of City/Agency Vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw

City/Agency Vehicle; location of City/Agency vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X."

NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.



**Warning:** Presentation of a false claim is a felony (Penal Code §72). Pursuant to CCP §1038, the City/Agency may seek to recover all costs of defense in the event an action is filed which is later determined not to have been brought in good faith and with reasonable cause.

Signature:  Date: 8-10-16



# CITY OF LAKEPORT

- City Council
- City of Lakeport Municipal Sewer District
- Lakeport Redevelopment Successor Agency
- Lakeport Industrial Development Agency
- Municipal Financing Agency of Lakeport

## STAFF REPORT

**RE:** After Action Report – July 4<sup>th</sup> 2016 Police Fireworks Operations

**MEETING DATE:** 09/06/2016

**SUBMITTED BY:** Chief of Police Brad Rasmussen

**PURPOSE OF REPORT:**  Information only  Discussion  Action Item

### WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to review and file this police after action report concerning the Independence Day (July 4<sup>th</sup> period) police fireworks operations.

### BACKGROUND/DISCUSSION:

**EVENT:** Independence Day celebration at Library Park.

**SUMMARY:** On July 4, 2016, the City of Lakeport hosted its annual Fourth of July celebration at Library Park within the incorporated City limits of Lakeport. This event draws well over a thousand people including residents, visitors and event participants who wish to attend. The Lakeport Police Department is responsible for law enforcement services during this event and utilizes assistance from allied agencies such as the Lake County Sheriff's Department, Clearlake Police Department, California Highway Patrol and the Lake County Probation Department.

**PARKLANDS:** This year the Lakeport Police Department handled an unusually high volume of calls for service in the parklands. In addition to handling four reported lost children, one missing adult and one verbal altercation between two males, the Department responded to a violent stabbing incident near the playground area wherein several males approached a family, and after a heated verbal altercation, one male was repeatedly stabbed in the head and neck. This act of violence created a serious concern for public safety as the suspect was still at large after the stabbing and inside the parklands. Ultimately, the suspect was apprehended by assisting agencies and the investigation is still ongoing.

**FIREWORKS:** The most significant calls for service were a result of illegal fireworks being discharged throughout the City. In all, the Police Department handled in excess of 37 fireworks related calls for service in various areas throughout the incorporated areas of Lakeport. The extreme amount of illegal fireworks calls made it very difficult for police units to respond to each location to identify, confiscate or apprehend offenders. Although the City is very diligent on advertising safe and sane firework use, a considerable amount of illegal fireworks entered the City. Of particular concern was the large amount of citizen's discharging illegal fireworks on private properties such as; Willow Tree Plaza. It is estimated as many as 200 citizens and vehicles were spread out in the parking lots of Safeway, Round Table Pizza, Mendo Lake Credit Union and CVS Pharmacy. Numerous calls for illegal fireworks were reported to be in this area. Several attempts to locate and identify potential violators were unsuccessful resulting in 5 police units responding to the area and ordering citizen's to disperse.

Numerous amounts of illegal fireworks and safe and sane fireworks debris were left upon various private lots which were open to the public.

**CONCLUSION:**

The 2016 Fourth of July celebration was the busiest we've experienced in many years and although the calls for service increased, the event was successful. Much of the success is attributed to the command center being at City Hall which is the hub of the event. The location of the Incident Command Post is critical for law enforcement as it provides for quicker response to calls in the parklands and provides those in attendance with a designated location for reporting and recovering missing children. The mere presence of multiple law enforcement officers canvassing the area has proven to be a successful element in preventing crime and providing a high level of public safety during the event.

**OPTIONS:**

Review and file report.

**FISCAL IMPACT:** Already reported with operational plan approval.

None       \$      Budgeted Item?  Yes  No

Budget Adjustment Needed?  Yes  No      If yes, amount of appropriation increase: \$

Affected fund(s):  General Fund  Water OM Fund  Sewer OM Fund  Other:

Comments:

**SUGGESTED MOTIONS:**

Move to receive and file the 2016 police after action report on the Independence Day Fireworks Operations.

**Attachments:**



# CITY OF LAKEPORT

- City Council
- City of Lakeport Municipal Sewer District
- Lakeport Redevelopment Successor Agency
- Lakeport Industrial Development Agency
- Municipal Financing Agency of Lakeport

<b>STAFF REPORT</b>	
<b>RE:</b> Presence of Dry Vegetation Creating Fire Hazard Conditions on Property's throughout the City of Lakeport	<b>MEETING DATE:</b> 9/6/2016
<b>SUBMITTED BY:</b> Kevin M. Ingram, Community Development Director	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input checked="" type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

### WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being requested to consider and adopt a resolution declaring the presence of dry weeds, brush and similar vegetation upon lots throughout the City a public nuisance and direct staff to pursue the abatement of said lots through the use of the Administrative Citation procedures outlined in Chapter 8.30 of the Lakeport Municipal Code.

### BACKGROUND/DISCUSSION:

As observed by the devastating impacts of the recent Valley and Clayton fire events, urban areas such as Lakeport are not immune from the destructive capabilities of wildland fires. In an effort to reduce the risk of the occurrence of wildland fire within the community of Lakeport, staff from both the City and Lakeport Fire Protection District have been meeting over the past few weeks to develop procedures and solutions in order to gain better compliance from local property owners to remove and abate dry vegetation from vacant and larger lots throughout the City.

Per the 2004 annexation agreement with the Lakeport Fire Protection District all weed abatement operations were transferred away from the City of Lakeport and to the Lakeport Fire Protection District. The District requires that property owners remove weeds, brush and similar vegetation between June 1 and the first business day after the 4<sup>th</sup> of July each year. The district sends out notices in May with follow-up notifications in the beginning of June and additional notifications when complaints are received. In 2016, the District has sent out more than 300 notices. Roughly 100 of those notices involve properties within the city limits. The problem in achieving compliance has been that although responsibility for weed abatement was transferred to the Fire Protection District the Lakeport Municipal Code Chapter 8.28 "WEEDS AND RUBISH" places the power to abate weeds constituting a fire hazard with the City Council.

Per the process outline in Chapter 8.28 of the Municipal Code the City Council must first adopt a resolution declaring a nuisance involving weeds constituting a fire menace to exist (LMC 8.28.02). Upon passage of the resolution, a notice to affected property's directing the abatement of public nuisance weeds is mailed out (LMC 8.28.030). Property owners are entitled to a protest hearing before the City Council a minimum of ten (10) days from the issuance of the notice. Upon completion of the protest hearing the City Council may order City staff begin abatement upon those property's failing to comply with the order to remove public nuisance weeds (LMC 8.28.040). The City must coordinate the completion of the abatement work and keep detailed accounting of costs for each individual lot (LMC 8.28.060). Upon completion of the abatement procedures an assessment hearing before the City Council is required to confer the amounts of liens to be placed upon individual property

owners where abatement by the City was required (LMC 8.28.070). The lien information is then turned over to the County auditor to be placed upon the tax rolls.

If the procedure outlined within Chapter 8.28 of Municipal Code was initiated today the likelihood of achieving timely abatement of current dry weeds and brush creating fire hazard risk would likely not be achieved within the current fire season. Given the likelihood of an extended wildfire season and public safety risk posed by unabated dry weeds throughout the City, staff is seeking direction from the City Council to utilize the Administrative Citation procedures outlined in Chapter 8.30 of Lakeport Municipal Code. In working with the Lakeport Fire Protection District, City staff believes this is a more effective means to lessening the risk of a devastating wildland fire similar to that of the Valley and Clayton fires repeating themselves within the community of Lakeport.

The Lakeport Fire Protection District has provided the City with a listing of properties whom have already received letters earlier this season to abate dry weeds, brush and other similar vegetation attributing to the creation of a fire hazard. On August 22, 2016 City staff performed site visits of noted those property's that have failed to comply with earlier notices from the Lakeport Fire Protection District. Following direction from City Council, City staff is prepared to issue notices to these property owners requiring the abatement of weeds within ten (10) days or an administrative citation with a \$100 fine will be issued.

Following the conclusion of the 2016 wildfire season both the City of Lakeport and Lakeport Fire Protection District are committed to reviewing and amending the current weed abatement process so as to be more effective in reducing fire hazard vegetation earlier in the season and being less labor intensive upon limited staff resources.

**OPTIONS:**

1. Adopt the proposed resolution and direct staff to utilize the Administrative Citation procedures to abate dry weeds, brush and similar vegetation which endangers public safety through the creation of a fire hazard.
2. Direct staff to make modifications or revisions to the proposed Resolution.
3. Take no action or take action to deny the proposed Resolution.

Alternatively, the City Council could provide other direction.

**FISCAL IMPACT:**

None       \$      Budgeted Item?    Yes    No

Budget Adjustment Needed?    Yes    No    If yes, amount of appropriation increase: \$

Affected fund(s):    General Fund    Water OM Fund    Sewer OM Fund    Other: Fund

Comments: Some unanticipated costs associated with the sending of certified mailings will likely be incurred as a result of this code enforcement effort. At approximately \$6.50 per piece for individual certified mailings, unanticipated costs will not likely exceed \$1000.

**SUGGESTED MOTION:**

Move to approve the proposed resolution declaring dry weeds, brush and similar vegetation creating a fire hazard upon vacant and large lots throughout the City to constitute a public nuisance and direct staff to utilize the Administrative Citation procedures outlined in Chapter 8.30 of the Lakeport Municipal Code to abate said public nuisance weeds.

- Attachments:**
1. Draft Resolution to Abate Weeds Constituting a Fire Hazard
  2. Sample Notice of Violation Letter
  3. CALFIRE Equipment Use Safety handout

**RESOLUTION NO. \_\_\_\_\_ (2016)**

**A RESOLUTION OF THE LAKEPORT CITY COUNCIL DECLARING  
THE PRESENCE OF DRY WEEDS, BRUSH AND SIMILAR VEGETATION ON  
VACANT AND LARGE LOTS WITHIN THE CITY TO BE A PUBLIC NUISANCE**

**WHEREAS**, the Rocky, Jerusalem, Valley and Clayton wildland fires have destroyed more than 1500 homes and damaged several hundred additional homes and structures in the neighboring communities of Cobb, Hidden Valley Lake, Middletown and Lower Lake over the past two fire seasons; and

**WHEREAS**, the presence of dry weeds, brush and similar vegetation on vacant and large lots contribute to a heightened risk of fire danger within the community of Lakeport threatening public safety; and

**WHEREAS**, weeds which attain such a large growth as to become a fire menace when dry, or which are otherwise noxious or dangerous may be declared to be a public nuisance by the city council and may be abated as provided in Chapter 8.28 of the Lakeport Municipal Code; and

**WHEREAS**, the property determined to be nuisance by reason of such growth of weeds, etc., as described and defined in Section 39560, et seq., of the California Government Code, is described in Exhibit "A" attached hereto and by this reference made a part hereof.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. All rubbish, refuse, dirt and weed growing upon the street or sidewalk, and upon private property adjacent thereto, in the City of Lakeport, hereinafter described in Exhibit "A", are hereby declared a public nuisance, pursuant to Section 39560, et seq., of the California Government Code and Chapter 8.28 of the Lakeport Municipal Code.
2. The Community Development Department shall provide Notice of Violations to those property owners who have failed to comply with earlier correspondence from the Lakeport Fire Protection District to abate dry weeds, brush and similar vegetation directing them to remove and abate public nuisance weeds as described in Exhibit "A".
3. The Community Development Department shall utilize the Administrative Citation procedures outlined within Chapter 8.30 of the Lakeport Municipal Code to assist the Lakeport Fire Protection District in the abatement of dry weeds, brush and similar

vegetation on vacant and large lots throughout the City for those property owners, described in Exhibit "A", failing to comply with Notice of Violation provisions.

**THIS RESOLUTION** was passed and adopted by the City Council of the City of Lakeport at a regular meeting held on the 6<sup>th</sup> day of September, 2016.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
MARC SPILLMAN, MAYOR

ATTEST:

\_\_\_\_\_  
KELLY BUENDIA, City Clerk  
City of Lakeport

# EXHIBIT A

## LIST OF PROPERTIES CONTAINING DRY WEEDS, BRUSH AND SIMILAR VEGETATION CONSTITUTING A FIRE MENACE NUISANCE

APN	Site Address	Acres
005-030-10	1320 CRAIG AVE	2.26
005-053-17	2565 PARALLEL DR	30.78
026-122-05	1411 ALDEN AVE	5.48
026-052-02	590 HILLCREST DR	0.21
025-102-07	1260 MARTIN ST	1.32
025-093-16	1200 ARMSTRONG ST	7.09
025-082-01	1101 COMPTON ST	1.47
026-051-09	474 SUNSET DR	0.36
026-081-01	550 SUNSET DR	1.17
025-431-12	520 SMITH ST	3.40
025-562-06	525 ESPLANADE ST	0.13
025-093-14	1265 BERRY ST	0.27
025-093-13	1257 BERRY ST	0.27
025-093-12	1249 BERRY ST	0.23
026-204-04	1290 N HIGH ST	0.14
025-084-12	767 THIRD ST	0.29
025-302-06	525 ARMSTRONG ST	0.33
025-441-08	1296 CRAIG AVE	4.37
025-441-38	1279 CRAIG AVE	3.74
025-441-25	1293 CRAIG AVE	2.45
005-045-45	1950 PARALLEL DR	5.85
005-050-07	2210 S MAIN ST	3.38
005-049-14	2225 SPECHT CT	0.90
005-050-06	2230 S MAIN ST	0.68
026-482-09	830 ELEVENTH ST	1.62
025-062-01	1301 SIXTH ST	4.36
025-062-02	1255 SIXTH ST	2.64
025-185-08	275 S RUSSELL ST	0.15
026-031-29	2200 LAKESHORE BLVD	6.08
005-045-29	401 INDUSTRIAL AVE	1.01
025-062-24	1366 BERRY ST	1.91
025-034-01	1370 SIXTH ST	3.02
025-036-19	665 SPURR ST	0.47
025-043-03	1025 CENTRAL PARK AVE	0.68
025-093-08	1217 BERRY ST	0.18

## ATTACHMENT 1

APN	Site Address	Acres
025-093-07	1209 BERRY ST	0.16
025-093-06	1201 BERRY ST	0.13
025-043-06	1020 SIXTH ST	0.21
025-043-05	1080 SIXTH ST	0.15
025-659-07	350 FIRST ST	0.17
026-031-30	2301 BEACH LN	0.40
026-341-03	1180 BOGGS LN	1.62
025-074-05	995 FOURTH ST	3.05
025-062-23	1370 BERRY ST	2.79
025-531-32	695 S MAIN ST	0.57
025-431-22	535 BEVINS ST	0.42
025-431-19	521 SMITH ST	1.23
026-073-07	323 ROBLES DR	0.11
026-122-09	1170 ELEVENTH ST	7.87
025-191-01	801 MANZANITA ST	0.91
026-341-04	1150 BOGGS LN	2.84
026-073-03	341 ROBLES DR	0.11
026-073-02	343 ROBLES DR	0.11
005-042-16	1329 TODD ROAD EXT	1.58
026-151-41	1245 HARTLEY ST	0.35
025-431-16	1255 MARTIN ST	10.49
025-501-46	2 C ST	3.83
025-431-37	447 BEVINS ST	3.10
025-451-01	400 BEVINS ST	1.64
025-093-11	1241 BERRY ST	0.25
026-332-12	850 ADAMS ST	1.48
026-342-08	1255 BOGGS LN	2.71
005-050-03	2240 S MAIN ST	4.79
026-073-05	333 ROBLES DR	0.12
026-073-06	331 ROBLES DR	0.11
026-073-08	287 ROBLES DR	0.08
005-045-15	1842 TODD RD	14.90
005-049-15	2232 SPECHT CT	0.93
026-021-17	2403 HARTLEY ST	4.14
026-052-01	2382 HARTLEY ST	0.32
026-082-03	581 SUNSET DR	0.49
025-093-09	1225 BERRY ST	0.19
026-341-10	1250 BOGGS LN	1.11
026-072-38	2324 LOCH DR	0.09
026-151-37	656 CLEAR LAKE AVE	0.29

ATTACHMENT 1

APN	Site Address	Acres
026-151-38	632 CLEAR LAKE AVE	0.30
026-151-39	610 CLEAR LAKE AVE	0.35
025-658-02	155 N BRUSH ST	0.16
026-192-02	1425 N HIGH ST	1.66
026-122-53	1600 MIKE'S WY	3.90
025-162-08	103 N POLK ST	0.46
025-659-06	380 FIRST ST	0.26
026-361-01	1100 TWENTIETH ST	4.02
026-361-02	1101 TWENTIETH ST	5.30
025-033-01	1300 HEIGHT ST	3.29
026-062-05	485 FAIRVIEW WY	0.26
026-021-34	2447 HARTLEY ST	26.66
026-075-21	311 HILLCREST DR	0.19
005-042-21	1319 TODD ROAD EXT	1.92
005-042-20	1343 BROTEN CT	3.03
025-093-10	1233 BERRY ST	0.22
005-030-51	1310 CRAIG AVE	14.18



**CITY OF LAKEPORT**  
Community Development Department

225 PARK STREET  
LAKEPORT, CALIFORNIA 95453

TELEPHONE 707.263.5615 x11  
FAX 707.263.8584  
E-MAIL [kingram@cityoflakeport.com](mailto:kingram@cityoflakeport.com)

# NOTICE OF VIOLATION

## 10-DAY NOTICE

September 7, 2016

[Property Owner]  
[Mailing Address]  
[City, State, ZIP]

**RE: Dry Vegetation Creating Fire Hazard Nuisance Condition at—  
[Violation Location], Lakeport, California (APN \*\*\*-\*\*\*-\*\*)**

**CONDITON CAUSING NUISANCE:** A site visit performed on August 22, 2016 by City of Lakeport staff revealed the presence of dry weeds, brush and similar vegetation which endangers the public safety through the creation of a fire hazard (LMC 8.22.020). Said conditions constitute a nuisance and a violation of the Lakeport Municipal Code.

**ORDER IS GIVEN TO COMMENCE ABATEMENT OF SAID NUISANCE CONDITIONS WITHIN TEN (10) DAYS, BUT NO LATER THAN SEPTEMBER 16, 2016, AND CORRECT THE NUISANCE CONDITION DESCRIBED ABOVE BY TAKING THE FOLLOWING ACTIONS:**

- 1) Clear all dry weeds, brush and similar vegetation to a height of six (6) inches or less. Cut weeds shall either be removed or mulched. (Abatement action does not apply to single specimens of trees, ornamental shrubbery or similar plans which are used as ground cover, if they do not form a means of rapidly transmitting fire from the native growth to any building or structure.
- 2) Weed abatement and brush clearing activities shall be conducted before 10:00 AM to reduce the risk of inadvertently starting a fire. Please consult the enclosed CALFIRE *Equipment Use Safety* handout for additional tips for the abatement of dry weeds, brush and vegetation safely.

Failure to comply with this order within the allotted time period will result in the issuance of an administrative fine not to exceed \$100.00 (LMC 8.30.020).

ATTACHMENT 2

The City of Lakeport greatly appreciates your cooperation and attention to this matter. If you have any questions or concerns regarding this matter please do not hesitate to contact the Lakeport Community Development Department at (707) 263-5615 x20 or the Lakeport Fire Protection District at (707) 263-4396.

Sincerely,

Kevin M. Ingram  
Community Development Director

Enclosures

Cc: Lakeport Fire Protection District



# Equipment Use Safety

## Are **You** doing the right thing, the wrong way?

Are you doing the right thing the wrong way -for example, trying to eliminate the fire hazards around your home and in the process starting a wildland fire? Each year CAL FIRE responds to more than 1,600 fires started by Californians using equipment the wrong way.

Whether working to create a defensible space around your home, just mowing the lawn, or pulling your dirt bike over to the side of the road, if you live in a wildland area you need to use all equipment responsibly. Lawn mowers, weed eaters, chain saws, grinders, welders, tractors, and trimmers can all spark a wildland fire. Do your part, the right way, to keep your community fire safe.

## Here's how to do it the **Right Way**:

- Do all yard maintenance that requires a gas or electrical motor before 10 a.m. **Not in the heat of the day, or when the wind is blowing!**
- Lawn mowers are designed to mow lawns. **Never** use lawn mowers in dry vegetation.
- Use a weed trimmer to cut down dry weeds and grass.
- Remove rocks in the area before you begin operating any equipment. A rock hidden in grass or weeds is enough to start a fire when struck by a metal blade.
- In wildland areas, spark arresters are required on all portable gasoline powered equipment including tractors, harvesters, chain saws, weed eaters, mowers, motorcycles, and All Terrain Vehicles (ATVs).
- Keep the exhaust system, spark arresters and mower in proper working order and free of carbon buildup. Use the recommended grade of fuel and don't top off.
- Keep the engine free of oil and dust, and keep the mower free of flammable materials.
- In wildland areas, a permit may be required for grinding and welding operations, and spark shields may be required on equipment. Be sure to have 10 feet of clearance, a 46" round point shovel, and a backpump water-type fire extinguisher ready to use.
- Hot exhaust pipes and mufflers can start fires you won't even see, until it's too late!  
**Don't pull off into dry grass or brush.**
- Keep a cell phone nearby and call 911 **immediately** in case of a fire.

