



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

Date: Thursday, January 5, 2023
Time: 3:00 P.M.
Place: **Antioch City Hall – Council Chambers**
200 'H' Street
Antioch, CA 94509

BOARD MEMBERS

Ademuyiwa “Ade” Adeyemi, Chairperson
Antwon Webster, Vice Chairperson
Marie Livingston
Ronald A. Grant
Vacant
Vacant, Alternate

***PLEASE TURN OFF CELL PHONES BEFORE ENTERING THE MEETING
LOCATION.***

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND CALIFORNIA LAW, it is the policy of the City of Antioch to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at the number or address below at least 72 hours prior to the meeting or when you desire to receive services. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. The City's ADA Coordinator can be reached @ Phone: (925) 779-6950, and e-mail: publicworks@ci.antioch.ca.us.

BOARD OF ADMINISTRATIVE APPEALS

SPEAKER RULES

NOTICE OF OPPORTUNITY TO ADDRESS THE BOARD

This agenda is a summary of the discussion items/actions proposed to be taken by the Board of Administrative Appeals. The public has the opportunity to address the Board on each agenda item. The Board can only take action on items that are listed on the agenda. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section on the agenda. No one may speak more than once on an agenda item or during "Public Comments".

Members of the public wishing to provide public comments, may do so one of the following ways:

- 1) **WRITTEN PUBLIC COMMENT** – Written comments may be submitted electronically to the City Clerk at the following email address: cityclerk@ci.antioch.ca.us, **prior to 1:00 p.m. the day of the Board of Administrative Appeals Meeting.** Please indicate the agenda item and title in your email subject line. All comments received before 1:00 p.m. the day of the meeting, will be provided to the Board Members before the meeting.
- 2) **IN PERSON** – Fill out a Speaker Request Form, available near the entrance doors, and place in the Speaker Card Tray near the City Clerk before the meeting begins.

Speakers will be notified shortly before they are called to speak.

- When called to speak, please limit your comments to the time allotted (up to 3 minutes, at the discretion of the Chair/Vice Chairperson).

After hearing from the public, the agenda item will be closed. Deliberations will then be limited to members of the Board.

NOTICE OF AVAILABILITY OF REPORTS

The Board of Administrative Appeals' Agendas, including Staff Reports, are posted onto the City's Website 72 hours before each meeting. To view the agenda information, click on the following link: <https://www.antiochca.gov/government/agendas-and-minutes/board-of-administrative-appeals/>.

Copies are available for inspection (and copying for a fee), at the City Clerk's Office, City Hall, 200 'H' Street, Antioch, CA 94509, Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding holidays. Copies are also made available at the Antioch Public Library for inspection.

NOTICE OF OPPORTUNITY TO ADDRESS THE BOARD

The public has the opportunity to address the Board on each agenda item. Please see the Speaker Rules on the inside cover of this Agenda for additional information on public participation.

AGENDA

3:00 P.M. ROLL CALL

Ademuyiwa “Ade” Adeyemi, Chairperson
Antwon Webster, Vice Chairperson
Marie Livingston
Ronald A. Grant
Vacant
Vacant, Alternate

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS – *Only unagendized issues will be discussed during this time.*

1. CONSENT CALENDAR

A. APPROVAL OF BOARD OF ADMINISTRATIVE APPEAL MEETING MINUTES OF OCTOBER 6, 2022

Recommended Action: Motion to approve the Meeting Minutes.

B. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS AND LIEN PROCESSING FEES FOR JULY 2022

Recommendation: The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

WRITTEN/ORAL COMMUNICATIONS

MOTION TO ADJOURN: *After Written/Oral Communications, the Chairperson/ Vice Chairperson will make a motion to adjourn the meeting. A second of the motion is required, and then a majority vote is required to adjourn the meeting.*

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Regular Meeting
3:00 P.M.**

**October 6, 2022
Council Chambers**

Vice Chairperson Webster called the meeting to order at 3:07 P.M. on Thursday, October 6, 2022.

ROLL CALL:

Present: Board Members Grant, Livingston, Vice Chairperson Webster
Absent: Chairperson Adeyemi

Staff Present: City Clerk, Ellie Householder
Code Enforcement Manager, Curt Michael
Minutes Clerk, Kitty Eiden
Administrative Analyst, Vanessa Rosales
Administrative Analyst, Edgar Villanueva

PLEDGE OF ALLEGIANCE

Vice Chairperson Webster led the Pledge of Allegiance.

PUBLIC COMMENT – None

- 1. CONSENT CALENDAR**
 - A. APPROVAL OF BOARD OF ADMINISTRATIVE APPEALS MINUTES OF MAY 5, 2022**
 - B. APPROVAL OF BOARD OF ADMINISTRATIVE APPEALS MINUTES OF JUNE 2, 2022**
 - C. BOARD OF ADMINISTRATIVE APPEAL MINUTES OF AUGUST 4, 2022 (NO QUORUM)**
 - D. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS AND LIEN PROCESSING FEES FOR MARCH, APRIL, MAY, AND JUNE 2022**

On motion by Board Member Grant, seconded by Board Member Livingston the Board of Administrative Appeals members present unanimously approved the Consent Calendar.

NEW ITEM

- 2. SELECTION OF A PREFERENCE FOR FORMAT OF FUTURE MEETINGS: HYBRID OR IN-PERSON**

City Clerk Householder presented the staff report dated October 6, 2022, recommending that the Board of Administrative Appeals give direction on its desired method to meet moving forward.

There are two available options: 1) Continue to conduct in-person meetings without video conferencing available to the public. Meetings would be broadcasted on the City website and the public could still participate remotely by calling in to a phone located in the City Council Chambers for the purpose of public comment. 2) Move to hybrid meetings, allowing people, including Board Members and Staff to participate virtually via Zoom if they choose.

On motion by Board Member Grant, seconded by Board Member Livingston the Board of Administrative Appeals members present unanimously moved to hybrid meetings, allowing people, including Board Members and Staff to participate virtually via Zoom if they choose.

WRITTEN/ORAL COMMUNICATIONS – None

ADJOURNMENT

On motion by Vice Chairperson Webster, seconded by Board Member Livingston the Board of Administrative Appeals members present unanimously adjourned the meeting at 3:14 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk



STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR CONSIDERATION AT THE HEARING ON JANUARY 5, 2023

Approved by: Curt Michael, Code Enforcement Manager *CM*
Date: December 21, 2022
Subject: Approval of the Levy of Special Assessments on Certain Properties for Unpaid Administrative Citations and Lien Processing Fees for July, 2022.

RECOMMENDATION

The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property (Attachment "A"). The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

FISCAL IMPACT

The action will enable the City of Antioch to collect outstanding receivables against properties for the month of July, 2022, in the amount of **\$4,500.00.**

BACKGROUND INFORMATION

Pursuant to Antioch Municipal Code §1-5.09 the City may collect any past due Administrative Citation fines, Abatements or late payment charges by use of special assessment liens and all action for recovery of money.

A Notice of Intent to Record Lien (Attachment B) was sent to each property owner who is entitled to notice reflecting the property address directly connected to conditions or activities on the subject real property, assessor's parcel number, the municipal code violation, administrative citation fine and copy of the administrative citations.

ATTACHMENTS

- A: List of Assessments
- B: Notice of Intent to Record Lien

AR	CASE#	APN	AMOUNT	LIEN PROC. FEE	SITE ADDRESS	OWNER LAST	OWNER FIRST	MAILING ADDRESS	PAID
AR166801	CE2206-226	071-092-002	\$ 100.00	\$290.00	3004 PLUMLEIGH AVE		CASTRO ANGEL GONZALEZ ROSALINA PEREZ	3004 PLUMLEIGH AVE ANTIOCH CA 94509-4838	
AR166733	CE2206-149	074-333-021	\$ 200.00	\$290.00	1338 ASTER DR		GOMEZ GUILLERMO CHAVEZ ESTHER PINEDA	1338 ASTER DR ANTIOCH CA 94509-1412	
AR166798	CE2205-282	053-272-009	\$ 440.00	\$290.00	4404 DEERFIELD DR	HARRISON	STEVEN & JENNIFER	4404 DEERFIELD DR ANTIOCH CA 94531-7635	
AR166886	CE2206-061	055-260-069	\$ 340.00	\$290.00	5032 ROCKWALL WAY	LEE	ATHENA	8603 FOUNDERS GROVE ST CHINO CA 91708-8845	
AR166701	CE2201-156	068-082-047	\$ 440.00	\$290.00	1827 TERRACE DR	WILSON	DECHAUNTE & LESLIE	1827 TERRACE DR ANTIOCH CA 94509-2804	
AR166793	CE2201-156	068-082-047	\$ 1,240.00	\$290.00	1827 TERRACE DR	WILSON	DECHAUNTE & LESLIE	1827 TERRACE DR ANTIOCH CA 94509-2804	
			\$2,760.00	\$1,740.00					

Total: **\$4,500.00**

NOTICE OF INTENT TO RECORD LIEN

[DATE]

[OWNER NAME]

[OWNER ADDRESS]

[OWNER CITY], [OWNER STATE] [OWNER ZIP]

SUBJECT: NOTICE OF INTENT TO RECORD LIEN

Address: [SITE ADDRESS]

Parcel No. [SITE APN]

Case No. [CASE NO]

PLEASE BE ADVISED, the City of Antioch claims a special assessment of **[\$[BAL DUE]** pursuant to Cal. Gov't Code §38773.5 and Antioch Municipal Code §1-5.09 for unpaid Administrative Citations and penalties relating to the above referred to real property. **Said fines and late penalties are not subject to appeal.**

On Thursday, January 5, 2023, at 3:00 P.M. the **ADMINISTRATIVE BOARD OF APPEALS** will receive the proposed assessment for hearing and confirmation. Should you object to our **INTENT TO RECORD LIEN** and choose to challenge it at the hearing, **you must** submit any and all objections in writing to the City Clerk at least three (3) days prior to the date of said hearing. In addition, you will need to pay the required \$50.00 appeal fee. Failure to submit written objections to the City Clerk at least three (3) days prior to the hearing date shall constitute a waiver of any such objections.

Fines and late penalties are not subject to appeal. You may only object to the INTENT TO RECORD LIEN. Objections are on the basis that said fines and late penalties have been paid in full.

BE FURTHER ADVISED that the amount of the assessment shall be recorded with the Contra Costa County Recorder's office on **January 10, 2023**. To avoid recordation, please make payment to the City of Antioch, on or before **January 3, 2023**. Failure to respond to this notice shall not affect the validity of the proceedings. Please be aware that if a lien is recorded on your property there will be additional fees to record, and release said lien.

**CITY OF ANTIOCH
COST RECOVERY/COMMUNITY DEVELOPMENT
P.O. BOX 5007
ANTIOCH, CA 94531-5007**

It is my desire that you will comply with this final notice, thus relieving the City of any further action. If you have any questions or wish to discuss this matter, please call Code Enforcement at **(925) 779-7042**.

Sincerely,



Curt Michael
Code Enforcement Manager
cc: City Attorney

Community Development Department
Code Enforcement Division

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PUBLIC COMMENT – None

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Total: **\$4,500.00**

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[OWNER ADDRESS]

[OWNER CITY], [OWNER STATE] [OWNER ZIP]

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