



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

Date: Thursday, March 3, 2022
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
Crystal Sawyer-White
Ronald A. Grant
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
Crystal Sawyer-White
Ronald A. Grant
Vacant, Alternate

PLEDGE OF ALLEGIANCE

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

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR NOVEMBER 4, 2021

Recommended Action: Motion to approve the Meeting Minutes.

B. APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR JANUARY 6, 2022

Recommended Action: Motion to approve the Meeting Minutes.

C. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS AND LIEN PROCESSING FEES FOR OCTOBER AND NOVEMBER 2021

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.*

AR	CASE#	APN	Amount	LIEN PROCESSING FEE	SITE ADDRESS	OWNER LAST	OWNER FIRST	MAILING ADDRESS	PAID
AR165169	CE2110-102	076-404-004	\$ 340.00	\$ 296.00	3029 PEAR ST	BIBI	HANIFA TRE	4104 AZROCK CT ANTIOCH CA 94531	
AR165175	CE2110-184	055-660-053	\$ 340.00	\$ 296.00	2047 MOKELUMNE DR	BLOBNER	PAUL	2047 MOKELUMNE DR ANTIOCH CA 94531	
AR165170	CE2109-086	067-050-011	\$ 440.00	\$ 296.00	604 W 11TH ST	BOST	MATTHEW CHRISTOPHER	604 W 11TH ST ANTIOCH CA 94509	
AR165091	CE2110-142	052-510-021	\$ 440.00	\$ 296.00	4503 SWEET WATER ST	CHOW	CHEUNG FUK	305 22ND AVE SAN FRANCISCO CA 94121	
AR164994	CE2108-188	055-090-028	\$ 340.00	\$ 296.00	2510 HOOFTAIL WAY	DASS	EMMANUEL & AGNES	2510 HOOFTAIL WAY ANTIOCH CA 94531	
AR165079	CE2108-188	055-090-028	\$ 740.00	\$ 296.00	2510 HOOFTAIL WAY	DASS	EMMANUEL & AGNES	2510 HOOFTAIL WAY ANTIOCH CA 94531	
AR165168	CE2108-188	055-090-028	\$ 1,240.00	\$ 296.00	2510 HOOFTAIL WAY	DASS	EMMANUEL & AGNES	2510 HOOFTAIL WAY ANTIOCH CA 94531	
AR165181	CE2111-014	055-220-010	\$ 340.00	\$ 296.00	5145 MOCCASIN WAY	EDELMIRA PROPERTIES LLC		PO BOX 338 ANTIOCH CA 94509	
AR165072	CE2109-158	056-040-010	\$ 340.00	\$ 296.00	4541 SHANNONDALE DR	FERNANDEZ	JUAN C	4541 SHANNONDALE DR ANTIOCH CA 94531	
AR165161	CE2109-158	056-040-010	\$ 740.00	\$ 296.00	4541 SHANNONDALE DR	FERNANDEZ	JUAN C	4541 SHANNONDALE DR ANTIOCH CA 94531	
AR165185	CE2110-263	051-160-005	\$ 440.00	\$ 296.00	HILLCREST AVE	FKP INC		1777 OAKLAND BLVD WALNUT CREEK CA 94596	
AR165182	CE2108-026	068-500-007	\$ 440.00	\$ 296.00	604 IGLESIA CT	FLETCHER	RICHARD CHARLES	604 IGLESIA CT ANTIOCH CA 94509	

AR165000	CE2106-270	056-061-005	\$ 340.00	\$ 296.00	4996 PARKGREEN CIR	GO	PHILIP T & SHIRLY C UY	PO BOX 16123 SAN FRANCISCO CA 94116	
AR165002	CE2108-142	052-201-001	\$ 440.00	\$ 296.00	3649 LEAFWOOD CIR	GRAY	MARY	3649 LEAFWOOD CIR ANTIOCH CA 94531	
AR165081	CE2108-186	055-440-003	\$ 340.00	\$ 296.00	1940 KERN MOUNTAIN WAY	GUZMAN	FRANCISCO AND YUVIZA J	1940 KERN MOUNTAIN WAY ANTIOCH CA 94531	
AR165164	CE2109-183	068-573-006	\$ 440.00	\$ 296.00	809 BASALT WAY	HARVEY	LEWIS	809 BASALT WAY ANTIOCH CA 94509	
AR165180	CE2109-183	068-573-006	\$ 1,240.00	\$ 296.00	809 BASALT WAY	HARVEY	LEWIS	809 BASALT WAY ANTIOCH CA 94509	
AR164995	CE2110-104	056-060-022	\$ 440.00	\$ 296.00	4941 RIDGEVIEW DR	IRBY	EUGENE	4941 RIDGEVIEW DR ANTIOCH CA 94531	
AR165087	CE2108-161	071-072-011	\$ 340.00	\$ 296.00	2915 LONE TREE WAY	LI	MAGGIE M Z	1161 WASHINGTON ST SAN FRANCISCO CA 94108	
AR165074	CE2109-092	056-050-005	\$ 340.00	\$ 296.00	4509 SHANNONDALE DR	MANRIQUEZ	JOANN	4509 SHANNONDALE DR ANTIOCH CA 94531	
AR165163	CE2109-154	068-430-041	\$ 340.00	\$ 296.00	21 DANRIDGE CT	MASON	TAJIRI	21 DANRIDGE CT ANTIOCH CA 94509	
AR165176	CE2109-154	068-430-041	\$ 740.00	\$ 296.00	21 DANRIDGE CT	MASON	TAJIRI	21 DANRIDGE CT ANTIOCH CA 94509	
AR165005	CE2106-012	056-140-075	\$ 340.00	\$ 296.00	5000 MORGAN WAY	MCWILLIAMS	JOSEPH W & MICHELE	5000 MORGAN WAY ANTIOCH CA 94531	
AR165085	CE2106-012	056-140-075	\$ 740.00	\$ 296.00	5000 MORGAN WAY	MCWILLIAMS	JOSEPH W & MICHELE	5000 MORGAN WAY ANTIOCH CA 94531	
AR165186	CE2106-012	056-140-075	\$ 1,240.00	\$ 296.00	5000 MORGAN WAY	MCWILLIAMS	JOSEPH W & MICHELE	5000 MORGAN WAY ANTIOCH CA 94531	
AR165089	CE2107-271	067-155-001	\$ 740.00	\$ 296.00	825 W 11TH ST	PACHECO	RAMIRO & MARIA	825 W 11TH ST ANTIOCH CA 94509	

AR165167	CE2107-114	055-110-071	\$ 340.00	\$ 296.00	2351 WHITETAIL DR	RAMIREZ	FRANCISCO A	2351 WHITETAIL DR ANTIOCH CA 94531	
AR165044	CE2009-288	075-241-005	\$ 340.00	\$ 296.00	2016 CERRO CT	SABIN	DON	2415 OLIVERA RD #APT 4 CONCORD CA 94520	
AR165096	CE2108-086	068-161-060	\$ 340.00	\$ 296.00	55 WORRELL RD	SANDOVAL	EDUARDO	612 W 16TH ST ANTIOCH CA 94509	
AR165095	CE2111-024	052-172-006	\$ 100.00	\$ 296.00	1500 PAUL CT	SWH 2017-1 BORROWER LP		8665 EAST HARTFORD DR SCOTTSDALE AZ 85255	
AR165068	CE2109-058	053-141-003	\$ 340.00	\$ 296.00	4301 AVILA CT	TEERAPOL	SONJAI	4301 AVILA CT ANTIOCH CA 94531	
AR165165	CE2109-058	053-141-003	\$ 740.00	\$ 296.00	4301 AVILA CT	TEERAPOL	SONJAI	4301 AVILA CT ANTIOCH CA 94531	
AR165071	CE2109-060	052-111-002	\$ 340.00	\$ 296.00	2823 AZALEA CT	TSAGRIS	VAGGELIS	2823 AZALEA CT ANTIOCH CA 94531	
AR164992	CM2105-001	055-071-093	\$ 740.00	\$ 296.00	4194 LONE TREE WAY	WOMAR INC		4749 BENNETT DR LIVERMORE CA 94551	
AR165088	CM2105-001	055-071-093	\$ 1,240.00	\$ 296.00	4194 LONE TREE WAY	WOMAR INC		4749 BENNETT DR LIVERMORE CA 94551	
AR164996	CE2108-195	055-200-005	\$ 340.00	\$ 296.00	5017 LONGHORN CT	YING	ZAISHENG & WEIYING MAO	20371 ROYAL AVE HAYWARD CA 94541	
			\$ 19,100.00	\$ 10,656.00					
			Total: \$ 29,756.00						

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

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

**November 4, 2021
Meeting Conducted Remotely**

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Board of Administrative Appeals meetings live stream (at <https://www.antiochca.gov/boaa/meeting/>). The Board of Administrative Appeals meeting was conducted utilizing Zoom Audio/Video Technology.

Vice Chairperson Adeyemi called the meeting to order at 3:01 P.M. on Thursday, November 4, 2021.

ROLL CALL:

Present: Board Members Goodbeer, Livingston and Vice Chairperson Adeyemi
Absent: Board Member Webster and Chairperson Simpson

Staff Present: City Attorney, Thomas Lloyd Smith
Administrative Services Director, Nickie Mastay
City Clerk, Ellie Householder
Animal Control Manager, George Harding
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

Vice Chairperson Adeyemi led the Pledge of Allegiance.

PUBLIC COMMENT – None

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR JULY 1, 2021

On motion by Board Member Goodbeer, seconded by Board Member Livingston, the Board of Administrative Appeals members present unanimously approved the Minutes for July 1, 2021. The motion carried the following vote:

Ayes: Goodbeer, Livingston, Adeyemi

Absent: Webster, Simpson

2. REGULAR AGENDA

A. CASE NO. CE2107-123 / ADMINISTRATIVE CITATION NO. 28521 – APPEAL FILED BY C. RAY JACKSON AND ANNE BREWER, PROPERTY LOCATION AT 1123 COOK

STREET, ANTIOCH, CA – VIOLATION OF ANTIOCH MUNICIPAL CODES: §5-1.202(A)(2) – OVERGROWN VEGETATION; §7-2.623(A)(2) – ENCROACHMENT; §9-5.1210 – TREES (OVERGROWN).

City Clerk Householder announced the appellant for this case had requested a postponement to the December 2, 2021, Board of Administrative Appeals meeting. Additionally, she noted there were no public comments for this item.

On motion by Board Member Goodbeer, seconded by Board Member Livingston the Board of Administrative Appeals members present unanimously tabled **CASE NO. CE2107-123 / ADMINISTRATIVE CITATION NO. 28521** to December 2, 2021.

B. CASE NO. CE2106-171 / ADMINISTRATIVE CITATION NO. 28523 – APPEAL FILED BY LAURA COCHNAUER, PROPERTY LOCATION AT 1119 MACAULAY STREET, ANTIOCH, CA – VIOLATION OF ANTIOCH MUNICIPAL CODE: §5-1.201.1 – UNPERMITTED RV.

City Clerk Householder announced the appellant for this case had requested a postponement to the December 2, 2021, Board of Administrative Appeals meeting. Additionally, she noted there were no public comments for this item.

On motion by Board Member Livingston, seconded by Board Member Goodbeer the Board of Administrative Appeals members present unanimously tabled **CASE NO. CE2106-171 / ADMINISTRATIVE CITATION NO. 28523** to December 2, 2021.

OATH for all intending to testify

City Clerk Householder administered the Oath to all intending to testify this afternoon.

C. ANIMAL SERVICES CASE NO. A21-001592 / ADMINISTRATIVE CITATION NO. 29885 – APPEAL FILED BY LAURA LETKEMAN, ANTIOCH, CA – VIOLATION OF ANTIOCH MUNICIPAL CODE: §6-1.501(K) UNLAWFUL ACTS - HARBOR OR FEED A FERAL CAT EXCEPT ON ONE'S OWN PROPERTY.

Animal Services Manager Harding presented the staff report dated October 20, 2021, recommending the Board of Administrative Appeals deny the appeal and uphold Administrative Citation No. 29885 with a further recommendation for Appellate to stop feeding feral cats anywhere other than on her own property.

In response to City Attorney Smith, Animal Services Manager Harding explained that the item before the Board was that the appellant had continued to feed feral cats near Tehachapi Court.

Board Member Livingston stated that the letter from witness Barbara W indicated that the appellant was not feeding feral cats after August 31, 2021; however, the citation was on September 19, 2021. She questioned if video footage that had been referenced in the staff report was available this afternoon.

Animal Control Manager Harding clarified that the video footage dated September 8, 2021, was provided by a witness. He added that the appellant was given a warning not to feed the cats after August 14, 2021.

APPELLANT

Laura Letkeman disputed statements given by the witness. She clarified the citation was issued on September 14, 2021, and she did not receive it until September 16, 2021. She noted she had not visited the location in question for almost a month. She stated she believed the video was copied to show a current date. She reported she had been given permission from another neighbor to set up a feeding area on her property and that neighbor indicated she would feed the cats. She noted that while they were setting up the feeding area, Ms. Keys approached her in a threatening manner, as described in the staff report. She noted the reporting party continued to harass her.

The appellant lost her connection to the meeting at 3:25 P.M.

In response to City Attorney Smith, Animal Services Manager Harding stated that they enforced Antioch Municipal Code section 6-1.501(K) often and residents complied with enforcement efforts. He noted people fed feral cats within Antioch; however, it was typically done on their own property.

City Attorney Smith stated he would be following up with Animal Services Manager Harding regarding this ordinance.

The appellant returned to the meeting at 3:29 P.M.

Ms. Letkeman explained that she was told by Animal Control Officer Cottle that they could not feed the cats on public property, so they had been attempting to do so on private property. She noted it was their opinion that they were following the Antioch Municipal Code. She reported that a kitten was attacked by dogs in the neighborhood and when she took it to the vet, they told her to report the dog's owner to animal control for them being off leash. She believed the matter before the Board this afternoon was retaliatory for that action. She clarified her friend Barbara was responsible for feeding the cats prior to this incident. She also disputed the comment from the reporting party that she was told to "go back to Africa". She noted they had attempted to solve this issue by contacting feral cat agencies who were non-responsive and further noted that Animal Services were no longer trapping feral cats.

A resident who did not identify herself stated she had lived in the area for 15 years and walked along the path. She noted it had been extremely hot and there was no water for the animals living in the drains. She further noted if she could care for the animals on her property she would do so. She stated that they were attempting to resolve the matter in a lawful manner, and she had contacted Furry Friends asking if they would assist in getting the animals neutered and vaccinated. She stated she was acting lawfully, and the reporting party was intervening. She confirmed that this matter was retaliatory for Ms. Letkeman calling Animal Control on Ms. Keys dogs for killing a kitten. She noted that Mr. Keys had taken her water dispensers because he believed they belonged to Ms. Letkeman.

In response to Board Member Livingston, Ms. Letkeman stated the last time she fed the feral cats was prior to August 30, 2021, and she had not feed the cats on September 14, 2021, because Mr. and Ms. Keys had threatened her.

In response to Board Member Livingston, Animal Control Manager Harding stated the video footage provided by the reporting party showed Ms. Letkeman was doing something with regards to the containers on the property on September 14, 2021. He noted it also showed the interaction between the reporting party and the appellant.

A resident expressed concern that the Animal Shelter was not supporting the animals.

Animal Control Manager Harding played the video footage of the interaction between the appellant and the reporting party. He explained that the videos played this afternoon were the only videos provided and there was no video showing the feeding of the cats.

In response to Board Member Goodbeer, Animal Control Manager Harding reported the video was sent to Animal Services on September 9, 2021, and the reporting party indicated that it was from September 8, 2021. He clarified that all three videos were taken on the same day.

In response to Vice Chairperson Adeyemi, Animal Control Manager Harding explained that Animals Services had addressed the situation pertaining to the dogs.

In response to Board Member Goodbeer, Animal Control Manager Harding reported an administrative citation was issued for \$100.00 and the appeal fee was \$50.00.

Board Member Goodbeer stated it was unknown when the video footage was taken so it was unclear if the cats were fed after the initial warning.

Vice Chairperson Adeyemi stated that it appeared the videos were taken on the same day; however, there was no way to determine which day they were taken. He questioned if the Board felt there was justification for the citation without the videos being considered.

City Attorney Smith pointed out that the videos did not show the appellant feeding cats.

At the request of Board Member Livingston, Vice Chairperson Adeyemi opened the floor for questions of Animal Control Manager Harding.

In response to Board Member Livingston, Animal Control Manager Harding stated that staff had not witnessed the appellant feeding the feral cats on September 14, 2021.

Board Member Adeyemi closed the public portion of the meeting.

On motion by Board Member Livingston, seconded by Board Member Goodbeer the Board of Administrative Appeals upheld the appeal and denied the citation. The motion carried the following vote:

Ayes: Goodbeer, Livingston and Adeyemi

Absent: Webster, Simpson

PUBLIC COMMENTS – None

WRITTEN/ORAL COMMUNICATIONS

City Clerk Householder announced that the City Council would soon be back in Council Chambers for meetings so hopefully the December Board of Administrative Appeals meeting would be in person.

Board Member Adeyemi commented that he was in Nigeria during this meeting and if the next Board meeting was in-person he would be absent.

City Attorney Smith announced Council would be considering whether they wanted to move forward with in-person only or hybrid meetings. He noted if Council elected to move forward with hybrid meetings, then Commissions would be able to choose whether they wanted to continue with zoom or hybrid meetings.

ADJOURNMENT

On motion by Board Member Goodbeer, seconded by Board Member Livingston the Board of Administrative Appeals unanimously adjourned the meeting at 4:08 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

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

**January 6, 2022
Council Chambers**

Vice Chairperson Adeyemi called the meeting to order at 3:08 P.M. on Thursday, January 6, 2022.

ROLL CALL:

Present: Board Members Sawyer-White, Webster, Livingston and Vice Chairperson Adeyemi

Absent: Board Member Grant

Staff Present: City Attorney, Thomas Lloyd Smith
Director of Community Development, Forrest Ebbs
City Clerk, Ellie Householder
Minutes Clerk, Kitty Eiden
Associate Community Development Technician, Felicia Caviness

PLEDGE OF ALLEGIANCE

Vice Chairperson Adeyemi led the Pledge of Allegiance.

PUBLIC COMMENT – None

1. ELECTION OF CHAIR AND VICE-CHAIR

City Clerk Householder presented the staff report dated December 30, 2021, recommending the Board of Administrative Appeals discuss and elect a Chairperson and Vice Chairperson to conduct the Board of Administrative Appeals meetings.

On motion by Board Member Livingston, seconded by Board Member Sawyer-White, the Board of Administrative Appeals appointed Vice Chairperson Adeyemi as Chair. The motion carried the following vote:

Ayes: Sawyer-White, Webster, Livingston Abstain: Adeyemi Absent: Grant

On motion by Board Member Livingston, seconded by Board Member Sawyer-White, the Board of Administrative Appeals members present unanimously appointed Board Member Webster as Vice Chair.

2. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR NOVEMBER 4, 2021

On motion by Board Member Webster, seconded by Board Member Livingston, the Board of Administrative Appeals continued the minutes for November 4, 2021. The motion carried the following vote:

Ayes: Webster, Livingston, Adeyemi

Abstain: Sawyer-White

Absent: Grant

B. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS AND LIEN PROCESSING FEES FOR THE ACCOUNTS EXCLUDED DUE TO DISPUTES OR EXTENSIONS DURING THE PAST REVIEW PERIOD (FEBRUARY 2021 THROUGH APRIL 2021), AND THE CURRENT REVIEW PERIOD OF MAY 2021 THROUGH SEPTEMBER 2021

City Clerk Householder presented the supplemental staff report dated January 5, 2022, recommending the Board of Administrative Appeals adjust the grand total amount of the accounts receivable to \$90,181.27 to reflect accounts that were paid in full and those that were extended.

On motion by Board Member Webster, seconded by Board Member Sawyer-White, the Board of Administrative Appeals members present unanimously confirmed each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property in the amount of \$90,181.27.

REGULAR AGENDA

OATH for all intending to testify

City Clerk Householder explained the manner in which the proceedings would be conducted and administered the Oath to Director of Community Development Ebbs.

- 3. CASE NO. CE2107-123 / ADMINISTRATIVE CITATION NO. 28521 – APPEAL FILED BY C. RAY JACKSON AND ANNE BREWER, PROPERTY LOCATION AT 1123 COOK STREET, ANTIOCH, CA – VIOLATION OF ANTIOCH MUNICIPAL CODES: §5-1.202(A)(2) – OVERGROWN VEGETATION; §7-2.623(A)(2) – ENCROACHMENT; §9-5.1210 – TREES (OVERGROWN).**

Director of Community Development Ebbs introduced himself and announced that the appeal for this agenda item had been withdrawn by the appellant.

- 4. CASE NO. CE2106-171 / ADMINISTRATIVE CITATION NO. 28523 – APPEAL FILED BY LAURA COCHNAUER, PROPERTY LOCATION AT 1119 MACAULAY STREET, ANTIOCH, CA – VIOLATION OF ANTIOCH MUNICIPAL CODE: §5-1.201.1 – UNPERMITTED RV.**

Director of Community Development Ebbs announced that the appellant for this agenda item was not present this afternoon. He presented the staff report dated December 29, 2021, recommending the Board of Administrative Appeals uphold Citation #28523 in the amount of

\$340.00 issued to Laura Cochnauer on August 10, 2021, for violation of Antioch Municipal Code §5-1.201.1.

In response to Board Members Webster, Director of Community Development Ebbs confirmed the citation was issued for an RV parked in public view.

In response to Board Member Sawyer-White, Director of Community Development Ebbs explained that this was a common issue that was addressed regularly.

In response to Board Member Webster, Director of Community Development Ebbs added the citation was for the RV violation and not for being parked on an unimproved surface. He reported according to the record as of September 2021, a second RV had taken the place of the original RV at the same location.

On motion by Board Member Livingston, seconded by Board Member Webster the Board of Administrative Appeals members present unanimously denied the appeal and upheld the citation.

NEW ITEM

5. SELECTION OF A PREFERENCE FOR FORMAT OF FUTURE MEETINGS: VIRTUAL OR IN-PERSON

City Clerk Householder presented the staff report dated December 30, 2021, recommending the Board of Administrative Appeals select a preferred format for future meetings.

Chairperson Adeyemi stated his preference was to remain virtual if there were only lien assessments and hold in-person meetings if appeals were to be heard by the Board.

City Attorney Smith responded that he was not aware of any Commission that was conducting a combination of virtual and in-person meetings and the reason was to have some regular expectation of how the meetings would be conducted for those who attend. He suggested the Board choose between virtual and in-person meetings because that was the direction that came from the City Council. He noted he could research and determine if it would be feasible to do a combination of virtual and in-person meetings depending on agendas.

Chairperson Adeyemi discussed the uncertainty of COVID-19.

Board Members Sawyer-White, Livingston and Webster spoke in support of in-person meetings.

City Attorney Smith stated he would investigate Chairperson Adeyemi's request to do a combination of virtual and in-person meetings. He noted if it was an option, the Board could discuss it at their next meeting.

On motion by Board Member Sawyer-White, seconded by Board Member Webster the Board of Administrative Appeals members present unanimously selected the in-person meeting format.

WRITTEN/ORAL COMMUNICATIONS

City Clerk Householder questioned if Board Members wanted the entire agenda packets printed out for future meetings.

Following discussion, Board Members requested City Clerk Householder provide printed agenda packets.

City Clerk Householder responded that she would print agenda packets for the entire Board and inform them when they were available for pick up.

ADJOURNMENT

On motion by Board Member Webster, seconded by Board Member Livingston the Board of Administrative Appeals unanimously adjourned the meeting at 3:46 P.M.


Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk



**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR
CONSIDERATION AT THE HEARING ON MARCH 3, 2022**

Approved by: Curt Michael, Code Enforcement Manager 

Date: February 22, 2022

Subject: Approval of the Levy of Special Assessments on Certain Properties for Unpaid Administrative Citations and Lien Processing Fees for October & November, 2021

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(s) of October & November, 2021, in the amount of **\$29,756.00**

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 PROCESSING FEE	SITE ADDRESS	OWNER LAST	OWNER FIRST	MAILING ADDRESS	PAID
AR165169	CE2110-102	076-404-004	\$ 340.00	\$ 296.00	3029 PEAR ST	BIBI	HANIFA TRE	4104 AZROCK CT ANTIOCH CA 94531	
AR165175	CE2110-184	055-660-053	\$ 340.00	\$ 296.00	2047 MOKELUMNE DR	BLOBNER	PAUL	2047 MOKELUMNE DR ANTIOCH CA 94531	
AR165170	CE2109-086	067-050-011	\$ 440.00	\$ 296.00	604 W 11TH ST	BOST	MATTHEW CHRISTOPHER	604 W 11TH ST ANTIOCH CA 94509	
AR165091	CE2110-142	052-510-021	\$ 440.00	\$ 296.00	4503 SWEET WATER ST	CHOW	CHEUNG FUK	305 22ND AVE SAN FRANCISCO CA 94121	
AR164994	CE2108-188	055-090-028	\$ 340.00	\$ 296.00	2510 HOOFTAIL WAY	DASS	EMMANUEL & AGNES	2510 HOOFTAIL WAY ANTIOCH CA 94531	
AR165079	CE2108-188	055-090-028	\$ 740.00	\$ 296.00	2510 HOOFTAIL WAY	DASS	EMMANUEL & AGNES	2510 HOOFTAIL WAY ANTIOCH CA 94531	
AR165168	CE2108-188	055-090-028	\$ 1,240.00	\$ 296.00	2510 HOOFTAIL WAY	DASS	EMMANUEL & AGNES	2510 HOOFTAIL WAY ANTIOCH CA 94531	
AR165181	CE2111-014	055-220-010	\$ 340.00	\$ 296.00	5145 MOCCASIN WAY	EDELMIRA PROPERTIES LLC		PO BOX 338 ANTIOCH CA 94509	
AR165072	CE2109-158	056-040-010	\$ 340.00	\$ 296.00	4541 SHANNONDALE DR	FERNANDEZ	JUAN C	4541 SHANNONDALE DR ANTIOCH CA 94531	
AR165161	CE2109-158	056-040-010	\$ 740.00	\$ 296.00	4541 SHANNONDALE DR	FERNANDEZ	JUAN C	4541 SHANNONDALE DR ANTIOCH CA 94531	
AR165185	CE2110-263	051-160-005	\$ 440.00	\$ 296.00	HILLCREST AVE	FKP INC		1777 OAKLAND BLVD WALNUT CREEK CA 94596	
AR165182	CE2108-026	068-500-007	\$ 440.00	\$ 296.00	604 IGLESIA CT	FLETCHER	RICHARD CHARLES	604 IGLESIA CT ANTIOCH CA 94509	

AR165000	CE2106-270	056-061-005	\$ 340.00	\$ 296.00	4996 PARKGREEN CIR	GO	PHILIP T & SHIRLY C UY	PO BOX 16123 SAN FRANCISCO CA 94116	
AR165002	CE2108-142	052-201-001	\$ 440.00	\$ 296.00	3649 LEAFWOOD CIR	GRAY	MARY	3649 LEAFWOOD CIR ANTIOCH CA 94531	
AR165081	CE2108-186	055-440-003	\$ 340.00	\$ 296.00	1940 KERN MOUNTAIN WAY	GUZMAN	FRANCISCO AND YUVIZA J	1940 KERN MOUNTAIN WAY ANTIOCH CA 94531	
AR165164	CE2109-183	068-573-006	\$ 440.00	\$ 296.00	809 BASALT WAY	HARVEY	LEWIS	809 BASALT WAY ANTIOCH CA 94509	
AR165180	CE2109-183	068-573-006	\$ 1,240.00	\$ 296.00	809 BASALT WAY	HARVEY	LEWIS	809 BASALT WAY ANTIOCH CA 94509	
AR164995	CE2110-104	056-060-022	\$ 440.00	\$ 296.00	4941 RIDGEVIEW DR	IRBY	EUGENE	4941 RIDGEVIEW DR ANTIOCH CA 94531	
AR165087	CE2108-161	071-072-011	\$ 340.00	\$ 296.00	2915 LONE TREE WAY	LI	MAGGIE M Z	1161 WASHINGTON ST SAN FRANCISCO CA 94108	
AR165074	CE2109-092	056-050-005	\$ 340.00	\$ 296.00	4509 SHANNONDALE DR	MANRIQUEZ	JOANN	4509 SHANNONDALE DR ANTIOCH CA 94531	
AR165163	CE2109-154	068-430-041	\$ 340.00	\$ 296.00	21 DANRIDGE CT	MASON	TAJIRI	21 DANRIDGE CT ANTIOCH CA 94509	
AR165176	CE2109-154	068-430-041	\$ 740.00	\$ 296.00	21 DANRIDGE CT	MASON	TAJIRI	21 DANRIDGE CT ANTIOCH CA 94509	
AR165005	CE2106-012	056-140-075	\$ 340.00	\$ 296.00	5000 MORGAN WAY	MCWILLIAMS	JOSEPH W & MICHELE	5000 MORGAN WAY ANTIOCH CA 94531	
AR165085	CE2106-012	056-140-075	\$ 740.00	\$ 296.00	5000 MORGAN WAY	MCWILLIAMS	JOSEPH W & MICHELE	5000 MORGAN WAY ANTIOCH CA 94531	
AR165186	CE2106-012	056-140-075	\$ 1,240.00	\$ 296.00	5000 MORGAN WAY	MCWILLIAMS	JOSEPH W & MICHELE	5000 MORGAN WAY ANTIOCH CA 94531	
AR165089	CE2107-271	067-155-001	\$ 740.00	\$ 296.00	825 W 11TH ST	PACHECO	RAMIRO & MARIA	825 W 11TH ST ANTIOCH CA 94509	

AR165167	CE2107-114	055-110-071	\$ 340.00	\$ 296.00	2351 WHITETAIL DR	RAMIREZ	FRANCISCO A	2351 WHITETAIL DR ANTIOCH CA 94531	
AR165044	CE2009-288	075-241-005	\$ 340.00	\$ 296.00	2016 CERRO CT	SABIN	DON	2415 OLIVERA RD #APT 4 CONCORD CA 94520	
AR165096	CE2108-086	068-161-060	\$ 340.00	\$ 296.00	55 WORRELL RD	SANDOVAL	EDUARDO	612 W 16TH ST ANTIOCH CA 94509	
AR165095	CE2111-024	052-172-006	\$ 100.00	\$ 296.00	1500 PAUL CT	SWH 2017-1 BORROWER LP		8665 EAST HARTFORD DR SCOTTSDALE AZ 85255	
AR165068	CE2109-058	053-141-003	\$ 340.00	\$ 296.00	4301 AVILA CT	TEERAPOL	SONJAI	4301 AVILA CT ANTIOCH CA 94531	
AR165165	CE2109-058	053-141-003	\$ 740.00	\$ 296.00	4301 AVILA CT	TEERAPOL	SONJAI	4301 AVILA CT ANTIOCH CA 94531	
AR165071	CE2109-060	052-111-002	\$ 340.00	\$ 296.00	2823 AZALEA CT	TSAGRIS	VAGGELIS	2823 AZALEA CT ANTIOCH CA 94531	
AR164992	CM2105-001	055-071-093	\$ 740.00	\$ 296.00	4194 LONE TREE WAY	WOMAR INC		4749 BENNETT DR LIVERMORE CA 94551	
AR165088	CM2105-001	055-071-093	\$ 1,240.00	\$ 296.00	4194 LONE TREE WAY	WOMAR INC		4749 BENNETT DR LIVERMORE CA 94551	
AR164996	CE2108-195	055-200-005	\$ 340.00	\$ 296.00	5017 LONGHORN CT	YING	ZAISHENG & WEIYING MAO	20371 ROYAL AVE HAYWARD CA 94541	
			\$ 19,100.00	\$ 10,656.00					
			Total: \$ 29,756.00						

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, March 3, 2022 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 **March 8, 2022**. To avoid recordation, please make payment to the City of Antioch, on or before **February 28, 2022**. 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