

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Council Chambers
200 "H" Street**

**APRIL 4, 2019
3:00 P.M.**

3:00 P.M. ROLL CALL Deborah Simpson, Chairperson
Ademuyiwa "Ade" Adeyemi, Vice Chairperson
Marie Livingston
Darrell Goodbeer
Vacant
Vacant, Alternate

PLEDGE OF ALLEGIANCE

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR MARCH 7, 2019

Recommended Action: Motion to approve the minutes.

STAFF REPORT

B. CODE ENFORCEMENT APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS & ABATEMENTS FOR THE MONTH OF JANUARY 2019

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.

STAFF REPORT

CONSENT CALENDAR – Continued

- C. **BUSINESS LICENSE** – APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR THE MONTH OF MARCH 2019

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.

STAFF REPORT

2. **REGULAR AGENDA**

STAFF REPORT

OATH for all intending to testify

- A. **APPLICATION OF REGISTRATION FOR “FAR EAST MASSAGE” LOCATED AT 2329 BUCHANNAN ROAD, ANTIOCH, CA** – APPEAL FILED BY HUMBERTO ROMERO, 2329 BUCHANNAN ROAD/ 4762 BELFORD PEAK COURT, ANTIOCH, CA., TO OVERTURN THE NOTICE OF DENIAL DETERMINATION MADE BY ANTIOCH POLICE DEPARTMENT [§5-19.14(1)].

STAFF REPORT

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

WRITTEN/ORAL COMMUNICATIONS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the discussion items/actions proposed to be taken by the Board of Administrative Appeals. Materials provided regarding the agenda items will be available at the following website: <https://www.antiochca.gov/government/agendas-and-minutes/board-of-administrative-appeals/> or at the City Clerk's Office, City Hall, 200 H Street, Antioch, CA 94509, Monday through Friday, 8:00 a.m. to 5:00 p.m., for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. The meetings are accessible to those with disabilities. Auxiliary aides will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

Notice of Opportunity to Address the Committee

The public has the opportunity to address the Board on each agenda item. To address the Board, fill out a yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. 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".

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.

CITATIONS
ABATEMENTS FOR BOARD OF APPEALS-APRIL 4, 2019
ATTACHMENT A

AR	Case	APN	Amount	Lien Processing Fee	Site Address	Owner last	Owner first	Mailing address	Paid
AR156275	CD1705-072	066-032-004	\$775.00	\$303.00	39 E. 6TH ST	Harris	Lloyd III & Lisa	#7 West Lake CT	
AR156201	CE1810-057	075-422-003	\$1,325.00	\$296.00	3554 LOVEBIRD WAY	Ichie	Samuel O	3554 LOVEBIRD WAY	
AR156512	PE1810-167	074-412-004	\$445.00	\$303.00	2300 MANZANITA WAY	JOHNSON	CHARLES TRE DAVI FRANK R	5197 HANSEN DR	
AR156514	CD1609-015	076-432-032	\$3,525.00	\$296.00	2511 DELTA FAIR BLVD	LONGS DRUGS STORES INC		1 CVS DR WOONSOCKET RI 02895-6146	
AR156513	CE1808-139	055-150-010	\$335.00	\$296.00	4444 LONE TREE WAY	MAITLAND HOLDINGS LLC		260 CALIFORNIA ST FL5 SAN FRANCISCO CA 94111-4396	
AR156200	CD1806-100	067333-081	\$445.00	\$296.00	2201 L STREET	OMARI	AMED	2201 L STREET	
AR156274	CD1611-022	076-432-008	\$2,425.00	\$296.00	2521 SOMERSVILLE RD	PIC N SAVE OF CALIFORNIA		4900 E DUBLIN GRANVILLE RD COLUMBUS OH 43081- 7651	
AR156515	CD1611-022	076-432-008	\$4,625.00	\$296.00	2521 SOMERSVILLE RD	PIC N SAVE OF CALIFORNIA		4900 E DUBLIN GRANVILLE RD COLUMBUS OH 43081- 7651	
AR156531	CD1611-022	076-432-008	\$12,325.00	\$296.00	2521 SOMERSVILLE RD	PIC N SAVE OF CALIFORNIA		4900 E DUBLIN GRANVILLE RD COLUMBUS OH 43081- 7651	
AR156199	CE1811-045	052-323-022	\$1,325.00	\$303.00	4040 BANBURY WAY	SALVADOR	ROLANDO C & EMMA	4040 BANBURY WAY	
AR156276	PE1809-028	066-105-008	\$1,325.00	\$296.00	1023 W 3RD ST	SSFRP III LLC		PO BOX 887 SAN RAMON CA 94583-5887	
AR156534	PE1809-028	066-105-008	\$1,325.00	\$296.00	1023 W 3RD ST	SSFRP III LLC		PO BOX 887 SAN RAMON CA 94583-5887	
AR156279	CE1810-016	056-011-044	\$445.00	\$303.00	4859 LONE TREE WAY	TANDA	WAYNE K & DIANE L TRE	3600 AMERICAN RIVER DR SACRAMENTO CA 95864-5920	
AR156516	CD1901-069	067-277-002	\$330.00	\$296.00	A ST	UNION PACIFIC RAILROAD		PO BOX 511 STOCKTON CA 95201-0511	
AR156198	CD1811-026	51293012	\$445.00	\$296.00	1812 TREMBATH ST	WOLF	DEANNA L	1812 TREMBATH ST	
TOTAL			\$31,420.00	\$4,468.00					

4.4.2019									
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A									
AR	Customer #	APN	Amount	Lien Processing Charge	Site Address	Owner last	Owner first	Mailing address	
151629	C207663	056-040-033-5	783.00		4848 COUNTRY HILLS DR	LIU	YU SHENG V & LIN DEE	41368 DANZON CT FREMONT, CA 94539-3869	
152432	C207663	056-040-033-5	110.00		4848 COUNTRY HILLS DR	LIU	YU SHENG V & LIN DEE	41368 DANZON CT FREMONT, CA 94539-3869	
153174	C207663	056-040-033-5	220.00		4848 COUNTRY HILLS DR	LIU	YU SHENG V & LIN DEE	41368 DANZON CT FREMONT, CA 94539-3869	
153643	C207663	056-040-033-5	550.00	303.00	4848 COUNTRY HILLS DR	LIU	YU SHENG V & LIN DEE	41368 DANZON CT FREMONT, CA 94539-3869	1966.00
153393	C219161	074-430-068-2	483.00		2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	
153394	C219161	074-430-068-2	110.00		2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	
153395	C219161	074-430-068-2	220.00		2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	
153396	C219161	074-430-068-2	550.00	303.00	2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	1666.00
153397	C215910	075-241-005-0	1046.00		2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	
153398	C215910	075-241-005-0	110.00		2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	
153399	C215910	075-241-005-0	220.00		2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	
153400	C215910	075-241-005-0	550.00	296.00	2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	2222.00
153886	C217884	068-512-006-5	783.00		1920 GLENWOOD DR	CUMMINGS	JERRY & BETTY	3504 BAYWOOD CIR ANTIOCH, CA 94531	
149738	C217884	068-512-006-5	110.00		1920 GLENWOOD DR	CUMMINGS	JERRY & BETTY	3504 BAYWOOD CIR ANTIOCH, CA 94531	
150017	C217884	068-512-006-5	220.00		1920 GLENWOOD DR	CUMMINGS	JERRY & BETTY	3504 BAYWOOD CIR ANTIOCH, CA 94531	
150315	C217884	068-512-006-5	550.00	303.00	1920 GLENWOOD DR	CUMMINGS	JERRY & BETTY	3504 BAYWOOD CIR ANTIOCH, CA 94531	1966.00
153524	C207930	055-190-020-2	783.00		2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153525	C207930	055-190-020-2	110.00		2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153526	C207930	055-190-020-2	220.00		2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153530	C207930	055-190-020-2	550.00	296.00	2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	1959.00
153413	C207930	056-072-004-7	1046.00		4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153414	C207930	056-072-004-7	110.00		4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153415	C207930	056-072-004-7	220.00		4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153876	C207930	056-072-004-7	550.00	296.00	4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	2222.00
153531	C219172	068-345-006-8	783.00		3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	
153532	C219172	068-345-006-8	110.00		3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	
153533	C219172	068-345-006-8	220.00		3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	
153534	C219172	068-345-006-8	550.00	296.00	3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	1959.00
153561	C219176	071-072-008-7	783.00		32 HILLSIDE RD	SHURAFU	TAISIR	216 FRANKFORT ST DALY CITY, CA 94014	

4.4.2019									
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A									
153563	C219176	071-072-008-7	110.00		32 HILLSIDE RD	SHURAFU	TAISIR	216 FRANKFORT ST DALY CITY, CA 94014	
153564	C219176	071-072-008-7	220.00		32 HILLSIDE RD	SHURAFU	TAISIR	216 FRANKFORT ST DALY CITY, CA 94014	
153565	C219176	071-072-008-7	550.00	296.00	32 HILLSIDE RD	SHURAFU	TAISIR	216 FRANKFORT ST DALY CITY, CA 94014	1959.00
153543	C219175	055-550-045-3	783.00		2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	
153544	C219175	055-550-045-3	110.00		2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	
153545	C219175	055-550-045-3	220.00		2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	
153546	C219175	055-550-045-3	550.00	296.00	2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	1959.00
153469	C219166	074-153-008-3	783.00		4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	
153471	C219166	074-153-008-3	110.00		4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	
153473	C219166	074-153-008-3	220.00		4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	
153474	C219166	074-153-008-3	550.00	303.00	4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	1966.00
153401	C219162	068-141-022-1	1246.00		25 SUNSET DR # A&B	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153402	C219162	068-141-022-1	110.00		25 SUNSET DR # A&B	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153403	C219162	068-141-022-1	220.00		25 SUNSET DR # A&B	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153875	C219162	068-141-022-1	550.00	303.00	25 SUNSET DR # A&B	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	2429.00
153404	C219162	067-284-007-1	1046.00		219 TEXAS ST	LIU	HONGCHE	45573 CHEROKEE LN FREMONT, CA 94539	
153405	C219162	067-284-007-1	110.00		219 TEXAS ST	LIU	HONGCHE	45573 CHEROKEE LN FREMONT, CA 94539	
153406	C219162	067-284-007-1	220.00		219 TEXAS ST	LIU	HONGCHE	45573 CHEROKEE LN FREMONT, CA 94539	
153879	C219162	067-284-007-1	550.00	296.00	219 TEXAS ST	LIU	HONGCHE	45573 CHEROKEE LN FREMONT, CA 94539	2222.00
153407	C219162	067-284-011-3	538.00		201 TEXAS ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153408	C219162	067-284-011-3	110.00		201 TEXAS ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153409	C219162	067-284-011-3	220.00		201 TEXAS ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153878	C219162	067-284-011-3	550.00	303.00	201 TEXAS ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	1721.00
153410	C219162	071-102-040-4	792.00		2813 D ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153411	C219162	071-102-040-4	110.00		2813 D ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153412	C219162	071-102-040-4	220.00		2813 D ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153877	C219162	071-102-040-4	550.00	303.00	2813 D ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	1975.00
153508	C219170	067-201-006-3	783.00		624 W 16TH ST	LIU	QUESS	45573 CHEROKEE LN FREMONT, CA 94539	
153509	C219170	067-201-006-3	110.00		624 W 16TH ST	LIU	QUESS	45573 CHEROKEE LN FREMONT, CA 94539	
153510	C219170	067-201-006-3	220.00		624 W 16TH ST	LIU	QUESS	45573 CHEROKEE LN FREMONT, CA 94539	

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BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A									
153511	C219170	067-201-006-3	550.00	296.00	624 W 16TH ST	LIU	QUESS	45573 CHEROKEE LN FREMONT, CA 94539	1959.00
153416	C207078	068-283-001-3	783.00		2833 PATRICIA AVE	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153417	C207078	068-283-001-3	110.00		2833 PATRICIA AVE	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153418	C207078	068-283-001-3	220.00		2833 PATRICIA AVE	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153419	C207078	068-283-001-3	550.00	296.00	2833 PATRICIA AVE	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	1959.00
153420	C207078	068-131-008-2	783.00		33 E MADILL ST	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153421	C207078	068-131-008-2	110.00		33 E MADILL ST	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153422	C207078	068-131-008-2	220.00		33 E MADILL ST	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153423	C207078	068-131-008-2	550.00	296.00	33 E MADILL ST	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	1959.00
153428	C219163	068-133-006-4	783.00		2500 SILVERADO DR	BOSEN	WILLIAM H & MARYJEAN	4499 BUSHWACKER LN POLLOCK PINES, CA 95726	
153429	C219163	068-133-006-4	110.00		2500 SILVERADO DR	BOSEN	WILLIAM H & MARYJEAN	4499 BUSHWACKER LN POLLOCK PINES, CA 95726	
153430	C219163	068-133-006-4	220.00		2500 SILVERADO DR	BOSEN	WILLIAM H & MARYJEAN	4499 BUSHWACKER LN POLLOCK PINES, CA 95726	
153431	C219163	068-133-006-4	550.00	303.00	2500 SILVERADO DR	BOSEN	WILLIAM H & MARYJEAN	4499 BUSHWACKER LN POLLOCK PINES, CA 95726	1966.00
151612	C218630	074-440-022-7	483.00		2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	
152734	C218630	074-440-022-7	110.00		2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	
152806	C218630	074-440-022-7	220.00		2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	
153855	C218630	074-440-022-7	550.00	303.00	2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	1666.00
152740	C100420	066-159-004-2	1046.00		114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	
152741	C100420	066-159-004-2	110.00		114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	
152807	C100420	066-159-004-2	220.00		114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	
153856	C100420	066-159-004-2	550.00	296.00	114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	2222.00
152842	C219050	053-090-034-9	783.00		2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	
152843	C219050	053-090-034-9	110.00		2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	
153613	C219050	053-090-034-9	220.00		2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	
153614	C219050	053-090-034-9	550.00	296.00	2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	1959.00
154167	C207674	051-342-022-4	283.00		2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	
154168	C207674	051-342-022-4	110.00		2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	
154169	C207674	051-342-022-4	220.00		2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	
154170	C207674	051-342-022-4	550.00	296.00	2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	1459.00
153170	C219149	053-373-008-1	783.00		4516 STALLION WAY	DELGADO	JORGE	3130 BALFOUR RD STE D306 BRENTWOOD, CA 94513	

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BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A									
153452	C219149	053-373-008-1	220.00		4516 STALLION WAY	DELGADO	JORGE	3130 BALFOUR RD STE D306 BRENTWOOD, CA 94513	
153896	C219149	053-373-008-1	550.00	296.00	4516 STALLION WAY	DELGADO	JORGE	3130 BALFOUR RD STE D306 BRENTWOOD, CA 94513	1849.00
151591	C211384	055-600-039-6	783.00		2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	
152388	C211384	055-600-039-6	110.00		2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	
153891	C211384	055-600-039-6	220.00		2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	
153892	C211384	055-600-039-6	550.00	303.00	2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	1966.00
152769	C218539	067-192-014-8	1046.00		512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	
153120	C218539	067-192-014-8	110.00		512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	
153630	C218539	067-192-014-8	220.00		512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	
153883	C218539	067-192-014-8	550.00	296.00	512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	2222.00
151376	C218540	067-263-008-4	783.00		111 W 19TH ST	KINGSTON	KEVIN	PO BOX 1241 CAMPBELL, CA 95009	
153119	C218540	067-263-008-4	110.00		111 W 19TH ST	KINGSTON	KEVIN	PO BOX 1241 CAMPBELL, CA 95009	
153631	C218540	067-263-008-4	220.00		111 W 19TH ST	KINGSTON	KEVIN	PO BOX 1241 CAMPBELL, CA 95009	
153882	C218540	067-263-008-4	550.00	296.00	111 W 19TH ST	KINGSTON	KEVIN	PO BOX 1241 CAMPBELL, CA 95009	1959.00
TOTAL									
GRAND TOTAL									
				\$51,336.00					

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

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

**March 7, 2019
Council Chambers**

Chairperson Simpson called the meeting to order at 3:01 P.M. on Thursday, March 7, 2019 in the Council Chambers.

ROLL CALL:

Present: Board Members Adeyemi, Livingston, Goodbeer and Chairperson Simpson

Staff Present: City Attorney, Thomas Lloyd Smith
City Clerk, Arne Simonsen
Minutes Clerk, Kitty Eiden
Finance Services Supervisor, Lisa Saunders
Finance Services Supervisor, Laurie McNeil
Business License Representative, Claudia Argenal
Code Enforcement Manager, Curt Michael
Code Enforcement Assistant, Denise Skaggs

PLEDGE OF ALLEGIANCE

Chairperson Simpson led the board, staff and public in the Pledge of Allegiance.

City Clerk Simonsen introduced and welcomed newly hired City Attorney Smith.

City Attorney Smith stated it was a pleasure to serve and he looked forward to participating in future Board of Administrative Appeals meetings.

The Board of Administrative Appeals thanked and welcomed City Attorney Smith.

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR FEBRUARY 7, 2019

On motion by Board Member Adeyemi, seconded by Board Member Livingston, the Board of Administrative Appeals unanimously approved the Minutes for February 7, 2019.

**B. CODE ENFORCEMENT – APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS
ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS &
ABATEMENTS FOR THE MONTH OF DECEMBER 2018**

On motion by Board Member Livingston, seconded by Board Member Goodbeer, the Board of Administrative Appeals unanimously confirmed each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property.

C. BUSINESS LICENSE – APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR THE MONTHS OF DECEMBER 2018, JANUARY 2019 AND FEBRUARY 2019

Chairperson Simpson reported that the Board had received a supplemental staff report dated February 20, 2019 recommending the Board of Administrative Appeals confirm each assessment for an amended amount of \$44,353.00.

On motion by Board Member Goodbeer, seconded by Board Member Adeyemi, the Board of Administrative Appeals unanimously confirmed each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property for the months of December 2018, January 2019 and February 2019 for the amount of \$44,353.00.

PUBLIC COMMENTS – None

WRITTEN/ORAL COMMUNICATIONS

City Clerk Simonsen reminded the Board Members that their form 700 Statement of Economic Interest were due by April 1, 2019.

Chairperson Simpson welcomed City Attorney Smith to Antioch.

ADJOURNMENT

Chairperson Simpson adjourned the Administrative Board of Appeals meeting at 3:07 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk

**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR
CONSIDERATION AT THE HEARING ON APRIL 4, 2019**

Prepared by: Curt Michael, Code Enforcement Manager CW
Date: March 21, 2019
Subject: Approval of the Levy of Special Assessments on Certain
Properties for Unpaid Administrative Citations & Lien
Processing Fees for the Month of January, 2019

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 Records 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 January 2019 in the amount of **\$35,888.00**

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 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, assessors parcel number, the municipal code violation, administrative citation fine and copy of the administrative citations.

ATTACHMENT

A: List of assessments

**CITATIONS
ABATEMENTS FOR BOARD OF APPEALS-APRIL 4, 2019
ATTACHMENT A**

AR	Case	APN	Amount	Lien Processing Fee	Site Address	Owner last	Owner first	Mailing address	Paid
AR156275	CD1705-072	066-032-004	\$775.00	\$303.00	39 E. 6TH ST	Harris	Lloyd III & Lisa	#7 West Lake CT	
AR156201	CE1810-057	075-422-003	\$1,325.00	\$296.00	3554 LOVEBIRD WAY	Ichie	Samuel O	3554 LOVEBIRD WAY	
AR156512	PE1810-167	074-412-004	\$445.00	\$303.00	2300 MANZANITA WAY	JOHNSON	CHARLES TRE DAVI FRANK R	5197 HANSEN DR	
AR156514	CD1609-015	076-432-032	\$3,525.00	\$296.00	2511 DELTA FAIR BLVD	LONGS DRUGS STORES INC		1 CVS DR WOONSOCKET RI 02895-6146	
AR156513	CE1808-139	055-150-010	\$335.00	\$296.00	4444 LONE TREE WAY	MAITLAND HOLDINGS LLC		260 CALIFORNIA ST FL5 SAN FRANCISCO CA 94111-4396	
AR156200	CD1806-100	067333-081	\$445.00	\$296.00	2201 L STREET	OMARI	AMED	2201 L STREET	
AR156274	CD1611-022	076-432-008	\$2,425.00	\$296.00	2521 SOMERSVILLE RD	PIC N SAVE OF CALIFORNIA		4900 E DUBLIN GRANVILLE RD COLUMBUS OH 43081-7651	
AR156515	CD1611-022	076-432-008	\$4,625.00	\$296.00	2521 SOMERSVILLE RD	PIC N SAVE OF CALIFORNIA		4900 E DUBLIN GRANVILLE RD COLUMBUS OH 43081-7651	
AR156531	CD1611-022	076-432-008	\$12,325.00	\$296.00	2521 SOMERSVILLE RD	PIC N SAVE OF CALIFORNIA		4900 E DUBLIN GRANVILLE RD COLUMBUS OH 43081-7651	
AR156199	CE1811-045	052-323-022	\$1,325.00	\$303.00	4040 BANBURY WAY	SALVADOR	ROLANDO C & EMMA	4040 BANBURY WAY	
AR156276	PE1809-028	066-105-008	\$1,325.00	\$296.00	1023 W 3RD ST	SSFRP III LLC		PO BOX 887 SAN RAMON CA 94583-5887	
AR156534	PE1809-028	066-105-008	\$1,325.00	\$296.00	1023 W 3RD ST	SSFRP III LLC		PO BOX 887 SAN RAMON CA 94583-5887	
AR156279	CE1810-016	056-011-044	\$445.00	\$303.00	4859 LONE TREE WAY	TANDA	WAYNE K & DIANE L TRE	3600 AMERICAN RIVER DR SACRAMENTO CA 95864-5920	
AR156516	CD1901-069	067-277-002	\$330.00	\$296.00	A ST	UNION PACIFIC RAILROAD		PO BOX 511 STOCKTON CA 95201-0511	
AR156198	CD1811-026	51293012	\$445.00	\$296.00	1812 TREMBATH ST	WOLF	DEANNA L	1812 TREMBATH ST	
TOTAL			\$31,420.00	\$4,468.00					



STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR CONSIDERATION AT THE HEARING ON APRIL 4, 2019

DATE: March 19, 2019

APPROVED BY: V. Rosales, Business License Representative

SUBJECT: **BUSINESS LICENSE** – Approval of the Levy of Special Assessments on Certain Properties for Unpaid Business License Taxes and/or Administrative Citation(s) for the Month(s) of March 2019.

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 Unpaid Business License Taxes and/or Administrative Citation(s) for the month(s) of March 2019 in the amount of **\$51,336.00**.

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 on March 18, 2019 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

4.4.2019									
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A									
AR	Customer #	APN	Amount	Lien Processing Charge	Site Address	Owner last	Owner first	Mailing address	
151629	C207663	056-040-033-5	783.00		4848 COUNTRY HILLS DR	LIU	YU SHENG V & LIN DEE	41368 DANZON CT FREMONT, CA 94539-3869	
152432	C207663	056-040-033-5	110.00		4848 COUNTRY HILLS DR	LIU	YU SHENG V & LIN DEE	41368 DANZON CT FREMONT, CA 94539-3869	
153174	C207663	056-040-033-5	220.00		4848 COUNTRY HILLS DR	LIU	YU SHENG V & LIN DEE	41368 DANZON CT FREMONT, CA 94539-3869	
153643	C207663	056-040-033-5	550.00	303.00	4848 COUNTRY HILLS DR	LIU	YU SHENG V & LIN DEE	41368 DANZON CT FREMONT, CA 94539-3869	1966.00
153393	C219161	074-430-068-2	483.00		2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	
153394	C219161	074-430-068-2	110.00		2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	
153395	C219161	074-430-068-2	220.00		2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	
153396	C219161	074-430-068-2	550.00	303.00	2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	1666.00
153397	C215910	075-241-005-0	1046.00		2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	
153398	C215910	075-241-005-0	110.00		2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	
153399	C215910	075-241-005-0	220.00		2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	
153400	C215910	075-241-005-0	550.00	296.00	2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	2222.00
153886	C217884	068-512-006-5	783.00		1920 GLENWOOD DR	CUMMINGS	JERRY & BETTY	3504 BAYWOOD CIR ANTIOCH, CA 94531	
149738	C217884	068-512-006-5	110.00		1920 GLENWOOD DR	CUMMINGS	JERRY & BETTY	3504 BAYWOOD CIR ANTIOCH, CA 94531	
150017	C217884	068-512-006-5	220.00		1920 GLENWOOD DR	CUMMINGS	JERRY & BETTY	3504 BAYWOOD CIR ANTIOCH, CA 94531	
150315	C217884	068-512-006-5	550.00	303.00	1920 GLENWOOD DR	CUMMINGS	JERRY & BETTY	3504 BAYWOOD CIR ANTIOCH, CA 94531	1966.00
153524	C207930	055-190-020-2	783.00		2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153525	C207930	055-190-020-2	110.00		2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153526	C207930	055-190-020-2	220.00		2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153530	C207930	055-190-020-2	550.00	296.00	2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	1959.00
153413	C207930	056-072-004-7	1046.00		4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153414	C207930	056-072-004-7	110.00		4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153415	C207930	056-072-004-7	220.00		4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153876	C207930	056-072-004-7	550.00	296.00	4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	2222.00
153531	C219172	068-345-006-8	783.00		3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	
153532	C219172	068-345-006-8	110.00		3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	
153533	C219172	068-345-006-8	220.00		3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	
153534	C219172	068-345-006-8	550.00	296.00	3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	1959.00
153561	C219176	071-072-008-7	783.00		32 HILLSIDE RD	SHURAFU	TAISIR	216 FRANKFORT ST DALY CITY, CA 94014	

4.4.2019									
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A									
153563	C219176	071-072-008-7	110.00		32 HILLSIDE RD	SHURAFU	TAISIR	216 FRANKFORT ST DALY CITY, CA 94014	
153564	C219176	071-072-008-7	220.00		32 HILLSIDE RD	SHURAFU	TAISIR	216 FRANKFORT ST DALY CITY, CA 94014	
153565	C219176	071-072-008-7	550.00	296.00	32 HILLSIDE RD	SHURAFU	TAISIR	216 FRANKFORT ST DALY CITY, CA 94014	1959.00
153543	C219175	055-550-045-3	783.00		2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	
153544	C219175	055-550-045-3	110.00		2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	
153545	C219175	055-550-045-3	220.00		2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	
153546	C219175	055-550-045-3	550.00	296.00	2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	1959.00
153469	C219166	074-153-008-3	783.00		4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	
153471	C219166	074-153-008-3	110.00		4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	
153473	C219166	074-153-008-3	220.00		4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	
153474	C219166	074-153-008-3	550.00	303.00	4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	1966.00
153401	C219162	068-141-022-1	1246.00		25 SUNSET DR # A&B	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153402	C219162	068-141-022-1	110.00		25 SUNSET DR # A&B	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153403	C219162	068-141-022-1	220.00		25 SUNSET DR # A&B	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153875	C219162	068-141-022-1	550.00	303.00	25 SUNSET DR # A&B	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	2429.00
153404	C219162	067-284-007-1	1046.00		219 TEXAS ST	LIU	HONGCHE	45573 CHEROKEE LN FREMONT, CA 94539	
153405	C219162	067-284-007-1	110.00		219 TEXAS ST	LIU	HONGCHE	45573 CHEROKEE LN FREMONT, CA 94539	
153406	C219162	067-284-007-1	220.00		219 TEXAS ST	LIU	HONGCHE	45573 CHEROKEE LN FREMONT, CA 94539	
153879	C219162	067-284-007-1	550.00	296.00	219 TEXAS ST	LIU	HONGCHE	45573 CHEROKEE LN FREMONT, CA 94539	2222.00
153407	C219162	067-284-011-3	538.00		201 TEXAS ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153408	C219162	067-284-011-3	110.00		201 TEXAS ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153409	C219162	067-284-011-3	220.00		201 TEXAS ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153878	C219162	067-284-011-3	550.00	303.00	201 TEXAS ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	1721.00
153410	C219162	071-102-040-4	792.00		2813 D ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153411	C219162	071-102-040-4	110.00		2813 D ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153412	C219162	071-102-040-4	220.00		2813 D ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	
153877	C219162	071-102-040-4	550.00	303.00	2813 D ST	LIU	HONGCHE & SHENGHUI	45573 CHEROKEE LN FREMONT, CA 94539	1975.00
153508	C219170	067-201-006-3	783.00		624 W 16TH ST	LIU	QUESS	45573 CHEROKEE LN FREMONT, CA 94539	
153509	C219170	067-201-006-3	110.00		624 W 16TH ST	LIU	QUESS	45573 CHEROKEE LN FREMONT, CA 94539	
153510	C219170	067-201-006-3	220.00		624 W 16TH ST	LIU	QUESS	45573 CHEROKEE LN FREMONT, CA 94539	

4.4.2019									
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A									
153511	C219170	067-201-006-3	550.00	296.00	624 W 16TH ST	LIU	QUESS	45573 CHEROKEE LN FREMONT, CA 94539	1959.00
153416	C207078	068-283-001-3	783.00		2833 PATRICIA AVE	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153417	C207078	068-283-001-3	110.00		2833 PATRICIA AVE	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153418	C207078	068-283-001-3	220.00		2833 PATRICIA AVE	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153419	C207078	068-283-001-3	550.00	296.00	2833 PATRICIA AVE	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	1959.00
153420	C207078	068-131-008-2	783.00		33 E MADILL ST	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153421	C207078	068-131-008-2	110.00		33 E MADILL ST	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153422	C207078	068-131-008-2	220.00		33 E MADILL ST	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	
153423	C207078	068-131-008-2	550.00	296.00	33 E MADILL ST	STEVENS	JOHN V TRE	4535 DARROW CT FREMONT, CA 94536	1959.00
153428	C219163	068-133-006-4	783.00		2500 SILVERADO DR	BOSEN	WILLIAM H & MARYJEAN	4499 BUSHWACKER LN POLLOCK PINES, CA 95726	
153429	C219163	068-133-006-4	110.00		2500 SILVERADO DR	BOSEN	WILLIAM H & MARYJEAN	4499 BUSHWACKER LN POLLOCK PINES, CA 95726	
153430	C219163	068-133-006-4	220.00		2500 SILVERADO DR	BOSEN	WILLIAM H & MARYJEAN	4499 BUSHWACKER LN POLLOCK PINES, CA 95726	
153431	C219163	068-133-006-4	550.00	303.00	2500 SILVERADO DR	BOSEN	WILLIAM H & MARYJEAN	4499 BUSHWACKER LN POLLOCK PINES, CA 95726	1966.00
151612	C218630	074-440-022-7	483.00		2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	
152734	C218630	074-440-022-7	110.00		2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	
152806	C218630	074-440-022-7	220.00		2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	
153855	C218630	074-440-022-7	550.00	303.00	2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	1666.00
152740	C100420	066-159-004-2	1046.00		114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	
152741	C100420	066-159-004-2	110.00		114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	
152807	C100420	066-159-004-2	220.00		114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	
153856	C100420	066-159-004-2	550.00	296.00	114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	2222.00
152842	C219050	053-090-034-9	783.00		2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	
152843	C219050	053-090-034-9	110.00		2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	
153613	C219050	053-090-034-9	220.00		2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	
153614	C219050	053-090-034-9	550.00	296.00	2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	1959.00
154167	C207674	051-342-022-4	283.00		2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	
154168	C207674	051-342-022-4	110.00		2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	
154169	C207674	051-342-022-4	220.00		2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	
154170	C207674	051-342-022-4	550.00	296.00	2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	1459.00
153170	C219149	053-373-008-1	783.00		4516 STALLION WAY	DELGADO	JORGE	3130 BALFOUR RD STE D306 BRENTWOOD, CA 94513	

4.4.2019									
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A									
153452	C219149	053-373-008-1	220.00		4516 STALLION WAY	DELGADO	JORGE	3130 BALFOUR RD STE D306 BRENTWOOD, CA 94513	
153896	C219149	053-373-008-1	550.00	296.00	4516 STALLION WAY	DELGADO	JORGE	3130 BALFOUR RD STE D306 BRENTWOOD, CA 94513	1849.00
151591	C211384	055-600-039-6	783.00		2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	
152388	C211384	055-600-039-6	110.00		2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	
153891	C211384	055-600-039-6	220.00		2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	
153892	C211384	055-600-039-6	550.00	303.00	2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	1966.00
152769	C218539	067-192-014-8	1046.00		512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	
153120	C218539	067-192-014-8	110.00		512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	
153630	C218539	067-192-014-8	220.00		512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	
153883	C218539	067-192-014-8	550.00	296.00	512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	2222.00
151376	C218540	067-263-008-4	783.00		111 W 19TH ST	KINGSTON	KEVIN	PO BOX 1241 CAMPBELL, CA 95009	
153119	C218540	067-263-008-4	110.00		111 W 19TH ST	KINGSTON	KEVIN	PO BOX 1241 CAMPBELL, CA 95009	
153631	C218540	067-263-008-4	220.00		111 W 19TH ST	KINGSTON	KEVIN	PO BOX 1241 CAMPBELL, CA 95009	
153882	C218540	067-263-008-4	550.00	296.00	111 W 19TH ST	KINGSTON	KEVIN	PO BOX 1241 CAMPBELL, CA 95009	1959.00
TOTAL									
GRAND TOTAL									
				\$51,336.00					

FINANCE DEPARTMENT



200 H St, Antioch, CA 94509

NOTICE OF INTENT TO RECORD LIEN

DATE

OWNER NAME(S)
MAILING ADDRESS
CITY, ST ZIP

SUBJECT: UNPAID BUSINESS LICENSE(S) TAXES & ADMINISTRATIVE CITATION(S)

Address: **Property Subject Address**
Parcel No: **xxx-xxx-xxx-x**
Case No: **Cxxxxxx/3xxxxx**

PLEASE BE ADVISED, the City of Antioch claims a special assessment of **\$XXXX.XX** pursuant to Cal. Gov't Code §38773.5 and Antioch Municipal Code §1-5.09 for unpaid Business License taxes, Administrative Citation(s) and penalties relating to the above referred to real property. **Said 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.

On Thursday, DATE 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. **You will need to pay the required \$50.00 appeal fee in addition to the special assessment of \$XXXX.XX.** 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. Failure to respond to this notice shall not affect the validity of the proceedings.

BE FURTHER ADVISED that the amount of the assessment shall be recorded with the Contra Costa County Recorder's office on **DATE**. Please be aware, **if a lien is recorded on your property there will be additional Lien Processing Charge of \$XXX.XX.** After the lien is recorded there will be an additional Release of Special Assessment Lien charge of \$157.00. To avoid recordation, please make payment to the City of Antioch, on or before **DATE**.

**CITY OF ANTIOCH
PO 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 regarding this letter, please call the Business License Department at **(925) 779-7059**. Thank you for your immediate cooperation.

Sincerely,

L. McNeil

Finance Services Supervisor
cc: City Attorney

STAFF REPORT TO THE ADMINISTRATION REVIEW PANEL FOR CONSIDERATION AT THE HEARING ON APRIL 4, 2019

PREPARED BY: William Dee, Police Officer

PREPARED FOR: Administrative Board of Appeals

APPROVED BY: Anthony Morefield, Police Captain

DATE: April 4, 2019

SUBJECT: Application Denial of Massage Business, “Far East Massage”

REQUEST: Humberto Romero has requested a hearing to appeal a Denial Notice issued February 4, 2019, for a massage establishment located in the City of Antioch.

REASON FOR DENIAL:

5- 19. 18 EFFECT OF REVOCATION OF REGISTRATION.

If a registration issued under this Chapter is revoked, no massage establishment shall be authorized to locate in the same location of the establishment where the registration was revoked for a period of 2 years from the effective date of the revocation. If the registrant is not also the legal owner of the real property on which the massage establishment is situated, notice of such revocation and the 2 year prohibition shall be provided to the owner of record of the property as shown on the latest county assessment roll.

BACKGROUND INFORMATION:

In September of 2018, the City of Antioch amended and approved a new massage ordinance Chapter 19 of title 5. Changes of that ordinance included a new requirement to register all massage businesses with the Police Department. In November letters were mailed out to each of the massage businesses within the city including Far East Massage. The letter explained the new ordinance requirements, including the requirement to register starting January of 2019. (**Attachment B**)

On January 3, 2019, the Police Department received an official police report regarding the “Far East Massage.” In that report, the victim claimed during a massage, the massage practitioner offered to sexual gratify him. The victim refused, immediately ended the massage, and left the establishment. He contacted the Antioch Police Department to make a report, documented under case number 19-0092. (**Attachment C**)

An officer responded and took the report and identified Zhi Hui Zheng as being the manager/owner of the business. The massage therapist in question was identified as Aiqun Jiang. At the time, the victim did not wish prosecution but just a refund of his money.

Days after the incident, I was forwarded the report for review. I checked the records for businesses which had complied with the ordinance and found that Far East Massage was currently not in compliance with the Police Registration in violation of :

5- 19. 04 MASSAGE ESTABLISHMENT REGISTRATION.

A) Except as otherwise provided in Section 5- 19. 05, it shall be unlawful for any person to engage in, conduct, carry on, or permit to be engaged in, conducted or carried on, in or upon any premises within the city, the operation of a massage establishment without first having obtained a massage establishment registration issued by the Police Department pursuant to this chapter. A separate registration shall be obtained for each separate massage establishment.

I checked Zheng and Jiang through the California Massage Therapy Councils website and discovered Jiang was not certified as a massage practitioner in violation of;

5- 19. 03 CAMTC CERTIFICATION REQUIRED.

It shall be unlawful for any individual to practice massage therapy for compensation as a sole proprietorship or employee of a massage business or in any other capacity with the City of Antioch unless that individual is a certified massage practitioner.

Based on the above facts, I contacted Code Enforcement and requested their assistance to conduct an inspection of the Far East Massage which was conducted on January 17 of 2019.

During the inspection, numerous code violations were discovered and documented on a Notice of Violation form. (**Attachment D**) Zhi Hui Zheng was on the premises as well as Aiqun Jiang. Zheng admitted to being the manager of the business and had keys in his possession to lock and unlock the doors. When asked about the prior police report concerning Jiang, Zheng stated Jiang does work at the establishment and does not possess an CATMC license. He stated she only “practices massages” until she is able to get certified. This was in violation of:

5- 19. 11 OPERATING REQUIREMENTS.

K) No massage business shall operate as a school of massage, or use the same facilities as that of a school of massage.

Based on the violations observed, the business was closed.

On January 30 2019 the Antioch Police Department received an application for the Far East Massage under a new owners name of Humberto Romero. The application was denied per ATMC 5-19.18. A Denial Notice was mailed February 5 2019. (**Attachment E**)

RECOMMENDATION:

Recommendation to uphold the Denial issued to Humberto Romero based on Antioch Municipal Code 5- 19. 18.

Attachment A: Municipal Code 5-19

Attachment B: Antioch Police Registration Notification Letter

Attachment C: Police Report 19-0092

Attachment D: Notice of Violation

Attachment E: Denial Letter

Attachment F: Appeal filed by Humberto Romero

Attachment G: City Clerk’s Confirmation and Reminder Letters

Attachment A

ORDINANCE NO. 2152-C-S

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
REPEALING AND REENACTING CHAPTER 19 OF TITLE 5 OF THE ANTIOCH
MUNICIPAL CODE CONCERNING MASSAGE ESTABLISHMENTS**

The City Council of the City of Antioch does ordain as follows:

Section 1. Chapter 19 of Title 5 of the Antioch Municipal Code is hereby repealed and reenacted to read as follows:

5-19.01 PURPOSE AND INTENT.

The City Council finds and declares as follows:

(A) In enacting this chapter, the City Council recognizes that commercial massage therapy is a professional pursuit which can offer the public valuable health and therapeutic services. The City Council further recognizes that, unless properly regulated, the practice of massage therapy and the operation of massage businesses may be associated with unlawful activity and pose a threat to the quality of life in the local community. Accordingly, it is the purpose and intent of this chapter to protect the public health, safety, and welfare by providing for the orderly regulation of businesses providing massage therapy services, discouraging prostitution and related illegal activities carried on under the guise of massage therapy, and establishing certain sanitation, health, and operational standards for massage businesses.

(B) Furthermore, it is the purpose and intent of this chapter to address the negative impacts identified in the City Council's findings to reduce or prevent neighborhood blight and to protect and preserve the quality of city neighborhoods and commercial districts and to enhance enforcement of criminal statutes relating to the conduct of operators and employees of massage businesses.

(C) It is the Council's further purpose and intent to rely upon the uniform statewide regulations applicable to massage practitioners and establishments that were enacted by the State Legislature in 2008 as California Business and Professions Code Sections 4600 et seq. by Senate Bill 731, and amended in 2011 by Assembly Bill 619 and in 2014 by Assembly Bill 1147, to restrict the commercial practice of massage in the city to those persons duly certified to practice by the California Massage Therapy Council and to provide for the regulation of massage businesses for health and safety purposes to the extent allowed by law.

5-19.02 DEFINITIONS.

For the purposes of this chapter, unless the particular provision or the context otherwise clearly requires, the definitions in this section shall govern the construction, meaning, and application of words and phrases used in this chapter.

ACUPUNCTURE means the stimulation of a certain point or points on or near the surface of the body by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of certain diseases or dysfunctions of the body and includes the techniques of electro acupuncture, cupping, and moxibustion.

APPLICANT in the case of a massage establishment registration, means an individual, or if not an individual, the general partner, chief executive officers, chief advisor, or other person responsible for the ownership and operation of the massage establishment, who applies to obtain a registration under this chapter.

CALIFORNIA MASSAGE THERAPY COUNCIL or "**CAMTC**" means the massage therapy organization formed pursuant to California Business and Professions Code Section 4600.5.

CERTIFIED MASSAGE PRACTITIONER means any individual certified by the CAMTC as a certified massage therapist or as a certified massage practitioner pursuant to California Business and Professions Code Sections 4600 et seq.

CLIENT means the customer or patron who pays for or receives massage services.

COMPENSATION means the payment, loan, advance, donation, contribution, deposit, exchange, or gift of money or anything of value.

EMPLOYEE means any owner, partner, operator, manager, supervisor or worker, whether paid or not, employed by a massage business who may render any service to the business, and who receives any form of compensation from the business.

HEALTH OFFICER means the person appointed by the City of Antioch pursuant to the California Health and Safety Code or his or her authorized representatives or designees.

MASSAGE or **MASSAGE THERAPY**, means and refers to any method of treating the external parts of the body for remedial, health, or hygienic purposes for any form of compensation by means of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, or stimulating the external parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances; or with or without supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice; or by baths, including but not limited to Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, fomentation, or any other type of bath.

MASSAGE ESTABLISHMENT means any business that offers massage therapy in exchange for compensation, whether at a fixed place of business or at a location designated by the customer or client through outcall massage services. Any business that offers any combination of massage therapy and bath facilities—including, but not limited to, showers, baths, wet and dry heat rooms, pools and hot tubs—shall be deemed a massage business under this chapter.

OPERATOR means any and all owners of a massage business.

OUTCALL MASSAGE means the engaging in or carrying on of massage therapy for compensation in a location other than the business operations address set forth in the massage business's registration.

OWNER means any of the following persons:

(1) Any person who is a general partner of a general or limited partnership that owns a massage business.

(2) Any person who has five percent (5%) or greater ownership interest in a corporation that owns a massage business.

(3) Any person who is a member of a limited liability company that owns a massage business.

(4) Any person who has a five percent (5%) or greater ownership interest in any other type of business association that owns a massage business.

PERSON means any individual, firm, association, partnership, co-partnership, joint stock company, corporation, joint venture, limited liability company, or combination of individuals of whatever form or character.

POLICE DEPARTMENT means the unit or person(s) designated by the Police Chief to administer this chapter.

RECEPTION AREA and **WAITING AREA** means an area immediately inside the front door of the massage business dedicated to the reception and waiting of patrons of the massage business and visitors, and which is not a massage therapy room or otherwise used for the provision of massage therapy services.

REGISTRATION means the registration to engage in the practice or business of massage therapy as required by this chapter.

REGISTRANT means any person possessing a registration required and issued under this chapter.

SCHOOL OF MASSAGE means any school or institution of learning that is recognized as an approved school pursuant to California Business and Professions Code Division 2, Chapter 10.5, as currently drafted or as may be amended.

SOLE PROPRIETORSHIP means and includes any legal form of business organization where the business owner (sometimes referred to as the "sole proprietor") is the only person employed by that business to provide massage services.

SOLICIT means to request, ask, demand or otherwise arrange for the provision of services.

5-19.03 CAMTC CERTIFICATION REQUIRED.

It shall be unlawful for any individual to practice massage therapy for compensation as a sole proprietorship or employee of a massage business or in any other capacity with the City of Antioch unless that individual is a certified massage practitioner.

5-19.04 MASSAGE ESTABLISHMENT REGISTRATION.

(A) Except as otherwise provided in Section 5-19.05, it shall be unlawful for any person to engage in, conduct, carry on, or permit to be engaged in, conducted or carried on, in or upon any premises within the city, the operation of a massage establishment without first having obtained a massage establishment registration issued by the Police Department pursuant to this chapter. A separate registration shall be obtained for each separate massage establishment.

(B) A registration issued under this chapter does not authorize the registrant to practice massage therapy until the registrant has complied with all business license requirements, zoning/planning requirements, and all other applicable federal, state, and city laws or regulations.

5-19.05 REGISTRATION EXCEPTIONS.

The registration requirements of this chapter shall not apply to the following persons while engaged in the performance of their duties:

(A) Physicians, surgeons, chiropractors, osteopaths, nurses, physical therapists, or acupuncturists who are duly licensed to practice their respective professions of the state.

(B) Barbers beauticians, cosmetologists, and estheticians who are duly licensed under the laws of the state while engaging in practices within the scope of their licenses.

(C) Hospitals, nursing homes, sanitariums, or any other health facility duly licensed by the state.

(D) Accredited high schools, junior colleges, colleges, or universities whose coaches and trainers are acting within the scope of their employment.

(E) Trainers of amateur, semi-professional or professional athletes or athletic teams while engaging in their training responsibilities for and with athletes and trainers working in conjunction with a specific athletic event such as road races, track meets, triathlons, biathlons, or similar single occurrence athletic or recreational events.

5-19.06 MASSAGE ESTABLISHMENT REGISTRATION APPLICATION AND FEE.

(A) Each applicant for a massage establishment registration shall file a written application with the Police Department on a form provided by the Police Department.

(B) Each application shall be accompanied by a nonrefundable fee, in an amount established in the resolution approving the Master Fee Schedule. The application fee shall be used to defray the costs of processing the investigation and report, and is not made in lieu of any other fees or taxes required under this code. In addition, applicants are required to make payment to the Department of Justice for fingerprinting services as required by this chapter. A copy of the receipt for the nonrefundable fee shall accompany the application.

(C) Each applicant shall submit the following information in the application under penalty of perjury:

- (1) Legal name of the massage business.
- (2) The present or proposed address and telephone number where the massage business is to be conducted.
- (3) Legal names, including all names used presently or in the past, of all owners of the massage business.
- (4) A list of all of the massage business's employees and independent contractors who are performing massage and their CAMTC certifications.
- (5) Residence address and telephone number of all owners of the massage business.
- (6) Business address and telephone number of all owners of the massage business.
- (7) The form of business under which the massage business will be operating (i.e. corporation, general or limited partnership, limited liability company, or other form).
- (8) Each owner or operator of the massage business who is not a CAMTC-certified massage practitioner shall submit an application for a background check, including the following: the individual's business, occupation, and employment history for the five years preceding the date of the application; the inclusive dates of such employment history; the name and address of any massage business or similar business owned or operated by the individual whether inside or outside the County of Contra Costa and its incorporated cities.
- (9) For all owners, a valid and current driver's license and/or identification issued by a state or federal governmental agency or other photographic identification bearing a bona fide seal by a foreign government.
- (10) For all owners, a signed statement that all of the information contained in the application is true and correct; that all owners shall be responsible for the conduct of the business's employees or independent contractors providing massage services; and acknowledging that failure to comply with the California Business and Professions Code Sections 4600 et seq., and local, state, or federal law, or the provisions of this chapter may result in revocation of the massage establishment's registration.

5-19.07 APPLICATION REVIEW.

Upon receipt of an application, the Police Department shall review the application and supplementary material. If it is clear from the face of the application and supplementary material that the applicant is not qualified for the registration sought pursuant to the requirements and standards of this chapter, or if the required fee has not been paid, the application may be denied without further investigation. If it appears from the face of the application and supplementary material that the applicant may be eligible for the registration sought, the Police Department shall verify the information submitted by the applicant and shall further investigate the qualifications of the applicant as follows:

- (A) The Police Department shall receive a full set of the applicant's fingerprints from a qualified private fingerprinting service, at the applicant's sole expense. Upon

receipt of the applicant's fingerprints, the Police Department shall review the criminal history (if any) of the applicant.

(B) The Police Department may conduct additional investigations in a manner authorized by law when necessary to determine if the applicant meets the qualifications for a registration pursuant to this chapter.

5-19.08 REGISTRATION ISSUANCE OR DENIAL.

(A) The Police Department shall issue or deny the application for a massage establishment registration within sixty (60) days of a completed application. When necessary, the Police Department may extend the time to issue or deny the application.

(B) In addition to any other section of this chapter, the Police Department shall deny a registration if any of the following circumstances exist:

(1) The application is incomplete and/or required supplementary material is not submitted within thirty (30) days of the date the material is requested.

(2) The applicant has previously had a massage establishment registration or any similar license, certificate, or registration revoked by the city or any public agency during the seven (7) years preceding the date of the application.

(3) The applicant has made a material misrepresentation in the application or supplementary material submitted with the application.

(4) The applicant has been successfully prosecuted under the Red Light Abatement Act (California Penal Code Sections 11225, et seq.) or any similar law in another jurisdiction during the seven (7) years preceding the date of the application.

(5) The applicant has been convicted of conduct that requires registration under Cal. Penal Code Section 290; conduct which is in violation of California Penal Code Sections 220, 245.3, 345.5, 261, 264.1, 266(e), 266(h), 266(i), 314, 315, 316, 318, 647(a), 647(b), 647(d), 653.22, or 653.23; any other crime involving dishonesty, fraud, deceit, violence, or moral turpitude; conspiracy or attempt to commit any of the aforementioned designated offenses; convictions to a charge of a violation of California Penal Code Sections 415 and 602, or any lesser included or related offense, in satisfaction of, or as substitute for any of the previously listed crimes, or any crime committed while engaged in the ownership of a massage establishment or the practice of massage therapy; convictions that have been expunged and convictions under the laws of other jurisdictions that proscribe the same or similar conduct as the previously listed crimes; or conviction of California Health and Safety Code Section 11550 or any offense involving the illegal sale, distribution, or possession of a controlled substance specified in California Health and Safety Code Sections 11054, 11055, 11056, 11057, or 11058 during the seven (7) years preceding the date of the application.

(C) If prosecution is pending against the applicant for either conduct listed in Paragraph (B) of this section, the Police Department may postpone the decision on the application until the final resolution of the prosecution is reached. As used in this chapter, prosecution means charges filed by the District Attorney, administrative proceedings brought by a local government or agency, or a civil action maintained by the City Attorney.

(D) The Police Department may postpone a decision on license or registration application until the city receives the applicant's fingerprint review results from the Department of Justice.

(E) The Police Department shall give written notice of the grounds for denial to the applicant personally or by first class mail, postage prepaid, at the address provided on the application. The notice shall advise the applicant of the right to request a hearing as provided in this chapter.

5-19.09 HEARING ON DENIAL OF REGISTRATION.

If a registration for a massage establishment is denied, an applicant may, within fourteen (14) calendar days after such action is taken, request a hearing before the Board of Administrative Appeals pursuant to Chapter 4 of Title 1 of the Municipal Code, at which time evidence will be received for the purpose of determining whether the action of the Police Department in denying the issuance of an annual registration should be sustained or reversed.

5-19.10 APPEAL OF DENIAL OF REGISTRATION.

Judicial review shall be available as established in Government Code Section 53069.4 and pursuant to Section 1-4.04 of this code.

5-19.11 OPERATING REQUIREMENTS.

Every massage establishment shall comply with the standards established by the Contra Costa County Health Services. No person shall engage in, conduct, carry on, or permit any massage within the City of Antioch unless all of the following requirements are met:

(A) CAMTC certification shall be worn by and clearly visible on the massage practitioner's person during working hours and at all times when the massage practitioner is inside a massage business or providing outcall massage.

(B) Massage shall be provided or given only between the hours of 7:00 a.m. and 9:00 p.m. No massage establishment shall be open and no massage shall be provided between 9:00 p.m. and 7:00 a.m. A massage commenced prior to 9:00 p.m. shall nevertheless terminate at 9:00 p.m., and all clients shall exit the premises at that time. It is the obligation of the massage business to inform clients of the requirement that services must cease at 9:00 p.m.

(C) A list of the services available and the cost of such services shall be posted in the reception area within the massage premises, and shall be described in readily understandable language. Outcall service providers shall provide such a list to clients in advance of performing any service. No owner, manager, operator, or responsible managing employee shall permit any service other than those posted or listed as required herein, nor shall an operator or a massage practitioner request or charge a fee for any service other than those on the list of services available and posted in the reception area or provided to the client in advance of any outcall services.

(D) A copy of the CAMTC certificate of each and every massage practitioner employed in the business shall be displayed in the reception area or similar open public place on the premises. CAMTC certificates of former employees and/or contractors shall be removed as soon as those massage practitioners are no longer employed by or offering services through the massage business.

(E) For each massage service provided, every massage business shall keep a complete and legible written record of the following information: the date and hour that service was provided; the service received; the name or initials of the employee entering the information; and the name of the massage practitioner administering the service. Such records shall be open to inspection and copying by the Police Department, may not be used by any massage practitioner or operator for any purpose other than as records of service provided and may not be provided to other parties by the massage practitioner or operator unless otherwise required by law. Such records shall be retained on the premises of the massage business for a period of two (2) years and be immediately available for inspection during business hours.

(F) Massage businesses shall at all times be equipped with an adequate supply of clean sanitary towels, coverings and linens. Clean towels, coverings, and linens shall be stored in enclosed cabinets. Towels and linens shall not be used on more than one client, unless they have first been laundered and disinfected. Disposable towels and coverings shall not be used on more than one client. Soiled linens and paper towels shall be deposited in separate, approved receptacles.

(G) Wet and dry heat rooms, steam or vapor rooms or cabinets, toilet rooms, shower and bath rooms, tanning booths, whirlpool baths and pools shall be thoroughly cleaned and disinfected as needed, and at least once each day the premises are open, with a disinfectant approved by the Health Officer. Bathtubs shall be thoroughly cleaned after each use with a disinfectant approved by the Health Officer. All walls, ceilings, floors, and other physical facilities for the business must be in good repair, and maintained in a clean and sanitary condition.

(H) Instruments utilized in performing massage shall not be used on more than one client unless they have been sterilized, using approved sterilization methods.

(I) All massage business operators and their employees, including massage practitioners, shall wear clean, non-transparent outer garments. Such garments shall not expose their genitals, pubic areas, buttocks, or chest, and shall not be worn in such manner as to expose the genitals, pubic areas, buttocks, or chest. For the purposes of this section, outer garments means a garment worn over other garments and does not include garments like underwear, bras, lingerie or swimsuits.

(J) No person shall enter, be, or remain in any part of a massage business while in possession of an open container of alcohol, or consuming or using any alcoholic beverage or drugs except pursuant to a prescription for such drugs. The owner, operator, responsible managing employee, or manager shall not permit any such person to enter or remain upon such premises.

(K) No massage business shall operate as a school of massage, or use the same facilities as that of a school of massage.

(L) No massage business shall place, publish or distribute, or cause to be placed, published or distributed any advertising matter that depicts any portion of the human body that would reasonably suggest to prospective clients that any service is available other than those services listed as an available service pursuant to this chapter, nor shall any massage business employ language in the text of such advertising that would reasonably suggest to a prospective client that any service is available other than those services as described in compliance with the provisions of this chapter.

(M) No massage shall be given unless the client's genitals are, at all times, fully covered. A massage practitioner shall not, in the course of administering any massage, make physical contact with the genitals or private parts of any other person regardless whether the contact is over or under the person's clothing.

(N) Where the massage establishment has staff available to assure security for clients and massage staff are behind closed doors, the entry to the reception area of the massage business shall remain unlocked during business hours when the business is open for business or when clients are present.

(O) No massage business located in a building or structure with exterior windows fronting a public street, highway, walkway, or parking area shall, during business hours, block visibility into the interior reception and waiting area through the use of curtains, closed blinds, tints, or any other material that obstructs, blurs, or unreasonably darkens the view into the premises. For the purpose of this subsection, there is a non-rebuttable presumption that the visibility is impermissibly blocked if more than ten percent (10%) of the interior reception and waiting area is not visible from the exterior window.

(P) All signs shall be in conformance with the current ordinances of the City of Antioch.

(Q) Minimum lighting consisting of at least one artificial light of not less than forty (40) watts shall be provided and shall be operating in each room or enclosure where massage services are being performed on clients, and in all areas where clients are present.

(R) Ventilation shall be provided in accordance with applicable building codes and regulations.

(S) Hot and cold running water shall be provided at all times.

(T) Adequate dressing, locker, and toilet facilities shall be provided for clients.

(U) A minimum of one (1) wash basin for employees shall be provided at all times. The basin shall be located within or as close as practicable to the area devoted to performing of massage services. Sanitary towels shall also be provided at each basin.

(V) All massage businesses shall comply with all state and federal laws and regulations for handicapped clients.

(W) A massage establishment shall operate only under the name specified in its registration issued under this chapter.

(X) No massage business shall allow any person to reside within the massage business or in attached structures owned, leased, or controlled by the massage business.

(Y) Other than custodial or maintenance staff, no persons shall be permitted within the premises of a massage business between the hours of 11:00 p.m. and 6:00 a.m.

5-19.12 INSPECTION BY OFFICIALS.

The investigating and enforcing officials of the City of Antioch, including, but not limited to, the Police, Health Officer, Code Enforcement Official, and Building Official, or their designees, shall have the right to enter the premises from time to time during regular business hours for the purpose of making reasonable inspections to observe and enforce compliance with building, fire, electrical, plumbing or health regulations, and to enforce compliance with applicable regulations, laws, and statutes, and with the provisions of this chapter. The massage business may be charged a fee for any safety inspections. The City may charge registrants for the cost of inspections in amounts established in the Master Fee Schedule.

5-19.13 NOTIFICATIONS.

(A) A registrant shall report to the Police Department any of the following within ninety-six (96) hours of the following occurrences:

(1) Arrests of any employees, operators, or owners of the registrant's massage establishment for an offense other than a misdemeanor traffic offense.

(2) Resignations, terminations, or transfers of practitioners employed by the registrant's massage business.

(3) Any event involving the registrant's massage establishment or the massage practitioners employed therein that constitutes a violation of this chapter or state or federal law.

(B) This provision requires reporting to the Police Department even if the massage business believes that the Police Department has or will receive the information from another source.

5-19.14 GROUNDS FOR SUSPENSION OR REVOCATION OF REGISTRATION.

(A) The Police Department may revoke or suspend any registration under this chapter if any of the following are found:

(1) The registrant commits any act that violates Business and Professions Code section 4609.

(2) The registrant does not possess the qualifications for the registration as required by this chapter.

(3) The registrant has been convicted of or found liable for any violation of this chapter.

(4) There is fraud, material misrepresentation, false statement, or omission of material fact in any application for a registration or in any supplemental material.

(5) An activity authorized in the registration has been conducted in an unlawful manner or in such a manner as to constitute a menace to the health, safety, or general welfare of the public.

(B) For purposes of this section, registrant, in the case of a massage establishment, shall include the managing responsible officer or managing employee.

(C) Prior to the suspension or revocation of any registration issued pursuant to this chapter, the Police Department shall give written notification of the suspension or revocation of the registration(s) to the registrants(s) personally or by first class mail, postage prepaid, at the address provided on the registration application. This notice shall advise the registrant of the right to request a hearing as provided in this chapter.

(D) The suspension or revocation shall take effect immediately upon the Board of Administrative Appeals' decision affirming of the suspension or revocation of, if no appeal of the notice of revocation or suspension is filed, upon the expiration of the appeal period for challenging the notice. The filing of an appeal of the Board of Administrative Appeals' decision to the City Council shall not stay or delay the effectiveness of the suspension or resignation. The filing of a petition for writ of mandamus challenging the City Council's affirmance of the Board of Administrative appeal shall not stay or delay the effectiveness of the suspension or resignation, unless upon proper motion or application, the court orders otherwise.

5-19.15 HEARING ON SUSPENSION OR REVOCATION OF REGISTRATION.

The registrant shall have fourteen (14) days from the date of the written notice of suspension or revocation of any registration issued pursuant to this chapter to file a written appeal with the Board of Administrative Appeals, pursuant to Chapter 4 of Title 1 of the Municipal Code. Evidence will be received at the hearing for the purpose of determining whether or not such registration shall be suspended or revoked, or whether the registration may be retained.

5-19.16 BURDEN OF PROOF.

Unless otherwise specifically prohibited by law, the burden of proof is on the applicant or registrant in any hearing or other matter under this chapter.

5-19.17 APPEAL OF SUSPENSION OR REVOCATION OF REGISTRATION.

If the Board of Administrative Appeals does not reverse the Police Department action in suspending or revoking the registration pursuant to this chapter, judicial review shall be available as established in California Government Code Section 53069.4 and pursuant to Section 1-4.04 of this code.

5-19.18 EFFECT OF REVOCATION OF REGISTRATION.

If a registration issued under this Chapter is revoked, no massage establishment shall be authorized to locate in the same location of the establishment where the registration was revoked for a period of 2 years from the effective date of the revocation. If the registrant is not also the legal owner of the real property on which the massage establishment is situated, notice of such revocation and the 2 year prohibition shall be

provided to the owner of record of the property as shown on the latest county assessment roll.

5-19.19 MINIMUM AGE REQUIREMENT.

(A) No person shall be employed in a massage therapy establishment or perform massage therapy or manage or hold ownership interest in a massage therapy establishment who is not at least eighteen (18) years of age.

(B) It is unlawful for the owner, proprietor, managing employee, or any other person in charge of any massage establishment to employ any person less than eighteen (18) years of age.

5-19.20 REGISTRATIONS NON-ASSIGNABLE.

No registration shall be sold, transferred, or assigned by registrant or by operation of law to any other person. Any such sale, transfer, assignment, attempted sale, attempted transfer, or attempted assignment shall constitute an immediate revocation of the registration and the registration shall thereafter be null and void.

5-19.21 CHANGE OF NAME OR LOCATION, EXPANSION OF BUILDING.

(A) No registrant shall operate under any name or conduct any massage establishment under any designation or location not specified in the registration.

(B) In the case of any proposed change of name, notification thereof shall be made to the Police Department at least thirty (30) days prior to the change. Any proposed name change is subject to the approval of the Police Department.

(C) Any proposed change of location of a massage establishment is subject to the approval of the Police Department, in addition to compliance with all city ordinances and regulations.

(D) Any application for an expansion of a building of a massage establishment shall require compliance with this chapter and all other applicable laws.

(E) In case of any change of location or expansion of the massage establishment, inspection thereof by the city's Building and/or Planning Department shall be made as required in this chapter within thirty (30) days of the application.

5-19.22 DISPLAY OF REGISTRATION.

The massage establishment registration shall be displayed in an open and conspicuous place on the premises where the massage establishment business is conducted.

5-19.23 RESPONSIBILITY OF REGISTRANT

It shall be the responsibility of the massage establishment registrant who has employed or subcontracted any person acting or purporting to act as a massage therapist

or the employer or contractor of any person acting or purporting to act as a massage therapist or anyone operating a massage establishment to ensure that all massage therapists comply with the requirements of this chapter and all laws. The massage establishment registrant or operator of a massage establishment shall be held responsible for the conduct of all persons on the premises that engage in providing the service of massage therapy. Any act or omission of the holder of the massage establishment registration or the operator of the massage establishment shall be deemed an act or omission of the holder of the massage establishment registration for the purposes of determining whether any license or registration may be revoked, suspended, or denied. Proof of knowledge of any violation of this section shall not be required for purposes of suspension, revocation or denial of such registration or license.

5-19.24 OUTCALL MASSAGE THERAPY REGISTRATION.

It shall be unlawful for any massage establishment or massage therapist to provide, or to offer to provide, massage therapy at any location except the place of business approved in the registration for a massage establishment or massage therapist. However, a massage establishment or massage therapist may obtain approval from the Police Department specifically authorizing outcall massage therapy services.

5-19.25 REGISTRATION DURATION AND RENEWAL.

(A) A registration shall be valid for one (1) year from the date of issuance, unless revoked or suspended.

(B) A registrant may apply for a renewal of a registration thirty (30) days prior to the expiration of the registration. If, upon the thirty-first (31st) day after the expiration of a registration, an application of renewal has not been received, the registration shall be deemed expired. Any registration issued under this chapter shall be returned to the Police Department within forty-eight (48) hours of its expiration. No privilege to provide massage therapy shall exist until an application for renewal has been granted. After a registration expires, a new application may be filed.

(C) Registrations may be renewed every year by filing an application for renewal under penalty of perjury updating information in the original application provided to the Police Department.

(D) To renew a registration under this chapter, the registrant shall pay the city a non-refundable fee in an amount set forth in the resolution approving the Master Fee Schedule. A copy of the receipt for the non-refundable fee shall accompany the application for renewal.

(E) After investigating the application for renewal, the Police Department may renew the registration if registrant continues to meet the requirements for issuance of a registration and none of the grounds for denial of a registration set forth in this chapter exist. The Police Department shall renew the registration within thirty (30) days of such request if the information upon which the original application was granted remains unchanged and no violations of this chapter have been committed.

5-19.26 CESSATION OF BUSINESS.

If at any time during the duration of a registration issued under this chapter, a registrant ceases to do business as a massage establishment, the registrant shall:

- (A) Return any registration issued under this chapter to the Police Department within five (5) business days.
- (B) Notify the Business License Department.

5-19.27 ENFORCEMENT.

(A) It is the duty of the Police Department to enforce rules and regulations in accordance with this chapter.

(B) Pursuant to the city's prosecutorial discretion, the city may enforce violations of the provisions of this chapter by criminal, civil, and/or administrative actions.

(C) Any massage business operated, conducted or maintained contrary to the provisions of this chapter shall constitute an unlawful business practice pursuant to California Business and Professions Code Section 17200 et seq., and the City Attorney or District Attorney may, in the exercise of discretion, in addition to or in lieu of taking any other action permitted by this chapter, commence an action or actions, proceeding or proceedings in the Superior Court of Contra Costa County, seeking an injunction prohibiting the unlawful business practice and/or any other remedy available at law, including but not limited to fines, attorneys fees and costs. All remedies provided for in this chapter are cumulative.

(D) It shall be unlawful and a public nuisance for a massage business to be operated, conducted, or maintained contrary to the provisions of this chapter. The City may exercise its discretion, in addition to or in lieu of prosecuting a criminal action, to commence proceedings for the abatement, removal, and enjoinder of that business in any manner provided by law.

Section 2. CEQA Findings.

This project is exempt from environmental analysis under the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that the proposed amendments will not have a significant effect on the environment.

Section 3. Severability.

In the event any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in force and effect.

Section 4. Effective Date and Publication.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation or by publishing a summary of the proposed ordinance and posting a certified copy of the proposed ordinance in the

City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted and within fifteen (15) days after its adopting, publishing a summary of the ordinance with the names of the Council members voting for and against the ordinance.


* * * * *

I HEREBY CERTIFY that the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch held on the 28th day of August, 2018 and passed and introduced at a regular meeting thereof, held on the 11th day of September 2018, by the following vote:

AYES: Council Members Wilson, Thorpe, Tiscareno, and Mayor Wright


NOES: None

ABSENT: Council Member Ogorchock



Sean Wright, Mayor of the City of Antioch

ATTEST:



Arne Simonsen, CMC, City Clerk of the City of Antioch

Attachment B

ANTIOCH POLICE DEPARTMENT

Tammany Brooks III, Chief of Police



November 20, 2018

Massage Ordinance – Registration

Dear Massage Business:

This letter is to inform you that on September 11th of this year, the City of Antioch municipal code concerning the permitting of massage establishments was amended and approved by the City Council. You are receiving this letter because a registration of massage therapist form is currently on file with the City of Antioch business license department under your business name or address. The amended massage establishment municipal code is now in effect and your massage business is required to register with the City of Antioch Police Department regardless of your current registration status. All massage establishments in the City of Antioch will be required to be in compliance with all rules and regulations contained in the City of Antioch Massage Establishments Ordinance (Antioch Municipal Code Section 5.19). A copy of the ordinance can be located online on the City of Antioch Police website under forms or at the front counter of the Antioch Police Department during business hours (M-F 8:30 am – 5:00 pm).

In order to be in compliance with the new massage establishment municipal code, you will need to submit a massage establishment registration application. Applications must be submitted in person and can be located at the front counter of the Antioch Police Department. Applications will only be accepted during the above business hours or online at the City of Antioch Police Department website under the forms section. Beginning on January 7th 2019, an officer assigned to assist with massage establishment registrations or address any massage ordinance related questions. An officer will be available **Monday – Wednesday from 8:00 am - 10:00 am only.**

Appointments can be made by emailing requests to: massage@ci.antioch.ca.us. When you come to the counter, please advise staff at the front counter that you need to speak with the massage establishment registration officer. Drop in's during any other time than that listed above, will not be accepted and the massage establishment registration officer will not be present to answer your questions.

RECEIVED

Sincerely,

JAN 30 2019

TAMMANY BROOKS
Chief of Police

ANTIOCH PD

By:

A handwritten signature in black ink, appearing to read "William Dee".

William Dee
Police Sergeant

Attachment C

Primary Case Report
Antioch Police Department

CA0070100 - 300 L Street (925)779-6900

CASE NO: 19000092

EVENT NO: 19000712

Classification:

Officer ID: GRAGG #5430

Location Name:

Location: 2339 BUCHANAN RD ANTIOCH

XStreet: STAPLETON DR

2nd XStreet:

Beat: 4

Occurred	Date	Time	Day
On/From	01/03/2019	18:00	Thu
To	01/03/2019	18:32	Thu
Received	01/03/2019	18:32	Thu

Primary Case Report
Antioch Police Department
CA0070100 - 300 L Street (925)779-6900

CASE NO: 19000092
EVENT NO: 19000712

REPORT - 1 Primary Case Report

Officer ID: GRAGG #5430
Supervisor: CHANG #4362

RP REPORTING PARTY

Race: Other-Unclassified Race **Sex:** M **DOB:** [REDACTED] **Age:** 43 **Type:** PERSON
Height: 511 **Weight:** 175 **Hair:** Black **Eyes:** Brown

ADDRESS INFORMATION

Address Type: PERSONAL/HOME **Phone:** (626) [REDACTED]
Address: [REDACTED] RIO VISTA CA 94571 **Time at Address:**
Comments:

School: **Grade #:** **Occupation:**
Employer: **How long:** **Work Hrs:**
Language: **Clothing:**
Crime Type:
Suspect Status:
Additional Info:
Comments:

OWN VEHICLE OR PROPERTY OWNER (registered, buyer, or legal)

Race: Other Asian **Sex:** M **DOB:** [REDACTED] **Age:** 54 **Type:** PERSON
Height: 502 **Weight:** 140 **Hair:** Black **Eyes:** Black

ADDRESS INFORMATION

Address Type: PERSONAL/HOME **Phone:** (415) [REDACTED] / (415) [REDACTED]
Address: [REDACTED] CONCORD CA 94520 **Time at Address:**
Comments:

Address Type: BUSINESS **Phone:**
Address: 2329 BUCHANAN RD Apt# B ANTIOCH CA 94509 **Time at Address:**
Comments:

School: **Grade #:** **Occupation:** FAR EAST MESSAGE
Employer: OWNER **How long:** **Work Hrs:**
Language: MANDARIN **Clothing:**
Crime Type:
Suspect Status:
Additional Info:
Comments:

IDENTIFICATION NUMBERS

Identification: **Issued By:** **ID No:**
Drivers License [REDACTED]

Primary Case Report
Antioch Police Department
CA0070100 - 300 L Street (925)779-6900

CASE NO: 19000092
EVENT NO: 19000712

REPORT - 1 Primary Case Report

Officer ID: GRAGG #5430
Supervisor: CHANG #4362

OTH OTHER

Race: Other Asian **Sex:** F **DOB:** [REDACTED] **Age:** 54 **Type:** PERSON
Height: 500 **Weight:** 130 **Hair:** Black **Eyes:** Black

ADDRESS INFORMATION

Address Type: PERSONAL/HOME **Phone:**
Address: [REDACTED] CONCORD CA 94520 **Time at Address:**
Comments:
Address Type: BUSINESS **Phone:**
Address: 2329 BUCHANAN RD Apt# B ANTIOCH CA 94509 **Time at Address:**
Comments:

School: **Grade #:** **Occupation:**
Employer: FAR EAST MASSAGE **How long:** **Work Hrs:**
Language: **Clothing:**
Crime Type:
Suspect Status:
Additional Info:
Comments:

IDENTIFICATION NUMBERS

Identification: **Issued By:** **ID No:**
Drivers License **STATE OF CALIFORNIA** [REDACTED]

NARRATIVE

On 01/03/2019 at approximately 1840 hours, I was working patrol as 2Y4 when I was dispatched to 2329 Buchanan Road #B to investigate a report of a sexual crime.

When I arrived, I spoke with the reporting party, RP-[REDACTED] told me in summary that he came to this massage parlor to obtain a massage for his hands which had been hurting. [REDACTED] paid \$35 for a massage for 1/2 hour and specifically said he wanted a massage for his hands. After payment, [REDACTED] went into one of the rooms with one of the female employees. The employee asked [REDACTED] to remove his clothes and massaged his back, buttocks, and chest. The woman at one point began to rub her breast on [REDACTED] and he told her to stop. The woman gestured with her hand the signal for male masturbation. [REDACTED] felt uncomfortable and left the parlor since he did not ask for any sexual acts to be performed.

[REDACTED] said he only wanted his moneyback and did not want prosecution. I accompanied [REDACTED] inside and met with an elderly gentleman inside and the female employee who saw [REDACTED]. The old man and woman were both identified by driver's licenses as OTH-[REDACTED] and OTH-[REDACTED]. Both pretended not to speak English. However [REDACTED] refunded [REDACTED] his money. [REDACTED] requested no further action and left the scene.

Conclusion:

This report is for informational purposes only.

Primary Case Report
Antioch Police Department

CA0070100 - 300 L Street (925)779-6900

CASE NO: 19000092

EVENT NO: 19000712

REPORT - 1 Primary Case Report

Officer ID: GRAGG #5430

Supervisor: CHANG #4362

NARRATIVE

(Cont'd)

Officer R. Gragg #5430

Attachment D



**NOTICE OF VIOLATION OF ANTIOCH MUNICIPAL CODE AND
MAINTAINING A PUBLIC NUISANCE IN THE CITY OF ANTIOCH**

To: VIA LAW VESTMENTS / LAUREN
Location of property: 2329 BUCHANAN RD ANTIOCH CA
APN: 0710432022 Date of Inspection: 1-17-19 Case #: CD901-061

The property listed above has been found to be in violation of the City of Antioch's Municipal Code. The violation(s) marked below require immediate action by the property owner/resident. Failure to correct these violation(s) by the date indicated will result in further actions being taken by the City.

Antioch Municipal Code Section:

<input type="checkbox"/>	4-16.03 - Major automotive repairs in public view in a residential district.
<input type="checkbox"/>	5-1.202(A)(1)(a) - Property inadequately maintained. Inoperable equipment, junk, rubbish, building materials, and/or containers in public view.
<input type="checkbox"/>	5-1.202(A)(2) - Overgrown, dead or decayed trees, weeds or other vegetation posing a risk of harm to the public and/or create visual blight.
<input type="checkbox"/>	5-1.202(B) - Building or structures which are broken, deteriorated, or in a state of disrepair including: walls, fences, signs, retaining walls.
<input type="checkbox"/>	5-1.202(C)(1) - Vacant building, structure or other property that is unsecured.
<input type="checkbox"/>	5-1.202(D) - Outdoor parking or storage of inoperable, wrecked, dismantled, salvaged, abandoned vehicle, or parts thereof, including watercraft.
<input type="checkbox"/>	5-1.202(D)(2) - Parking on unpaved surface.
<input type="checkbox"/>	6-3.02 - Solid waste and recycling; mandatory service.
<input type="checkbox"/>	7-2.623(A)(2) - No encroachment of any nature which impedes/obstructs the public right-of-way or which impairs adequate sight distance.
<input type="checkbox"/>	8-1.02 - Building permits required to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building.
<input type="checkbox"/>	9-5.1101 - Sight obstructions at intersections (and driveways).
<input type="checkbox"/>	9-5.1210 - Tree branches shall be trimmed at least 7 feet over the sidewalk and 14 feet over the street.
<input type="checkbox"/>	9-5.3830 - It shall be unlawful to keep or maintain any recreational vehicle as a temporary or permanent residence upon any lot or parcel.
<input checked="" type="checkbox"/>	Other: <u>5-19.11 VISABLE PERMIT / 5-19.11(D) PERMIT DISPLAYED / 5-19.11(Q) LIGHTING REQUIREMENT</u>
<input checked="" type="checkbox"/>	Other: <u>3-1.122(2)(D) LICENSE REVOCATION / 5-19.03(C) TECHNICIAN PERMIT</u>

Required Corrections: You must correct the violation(s) noted above by the deadline on this notice.

A re-inspection will be performed on or shortly after the deadline. If you fail to correct the violation(s) by the deadline on this notice, the City may issue Administrative Citations which carry fines ranging from \$100 to \$1,000 per violation for every day the violation(s) are permitted to remain. A re-inspection fee of \$200 will be added to each citation. In addition to citations, the City may take any other legal action(s) necessary to bring the property into compliance.

If you have questions regarding this notice, you may contact me at the number indicated below.

Notes: EACH TECHNICIAN SHALL OBTAIN A PERMIT TO DO MASSAGE WORK.
EACH TECHNICIAN SHALL VISIBLY DISPLAY THERE PERMITS. EACH PERMIT SHALL
CONTAIN 40 WATT LIGHT BULBS. IN ACCORDANCE WITH AISC 3-1.122(2)(D)
GROUNDS FOR REVOCATION OF BUSINESS LICENCE FOR THIS ESTABLISHMENT
HAS BEEN REVOKED. INSTALL A SMOKE DETECTOR IN BUSINESS

The property owner is responsible for all costs involved with the City's investigation of this nuisance including citations, inspection fees, hearing costs, and any other cost incurred by the City if forced to abate this nuisance.

Correct violation(s) by: 1-27-19 Officer: J. SODIE
Request building permit(s) by: — Phone: 925-779-0039 Date: 1-17-19

Account Management - (Read Only)

File Edit Options Functions Consoles Help

Account Number 024-00510-01 Address 2327 BUCHANAN RD
 Zone 07 Name FLOWCASH INVESTMENT, INC

General | Metered | Non-Metered | Financial | Information | Comments | History | Consumption History | Service Orders | Devices

Mailing Address
 Attention
 Address PO BOX 1901
 DANVILLE, CA
 94526-6901, B104

Profile
 Statement Bill
 Statement Group
 Class G IRRIGATION
 E-Mail
 Exceptions

PHONE # 925-858-6111
 DRV LIC #1
 SOC SEC #1 355-56-4569

Account Details
 Status Active
 Start Date 7/09/2012
 Bill Thru Date 1/04/2019
 Last Bill Date 1/10/2019
 Balance 109.72
 Pending Activity 0.00
 Credit History GOOD
 Deposits 0.00
 Cutoff N/A
 Contracts 0.00
 Draft N/A

Clear

View jsdie

PROPERTY MANAGER
 SUNNY WANG



☒ 1 Property Address: 2317 BUCHANAN RD ANTIOCH CA 94509-4403

Ownership

County: **CONTRA COSTA, CA**
 Assessor: **GUS KRAMER, ASSESSOR**
 Parcel # (APN): **076-432-022-2**
 Parcel Status:
 Owner Name: **LI LAUREN**
 Mailing Address: **1972 LEWELLING BLVD SAN LEANDRO CA 94579-2229**
 Legal Description: **PARCEL MAP 37 PG 31 PCL 2**

Assessment

Total Value:	\$496,663	Use Code:	31	Use Type:	RETAIL SALES
Land Value:	\$372,768	Tax Rate Area:	001-144	Zoning:	
Impr Value:	\$123,895	Year Assd:	2018	Census Tract:	3072.05/2
Other Value:		Property Tax:		Price/SqFt:	
% Improved:	24%	Delinquent Yr:			
Exempt Amt:		HO Exempt:	N		

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	03/12/2014	05/01/2014	10/17/2003	03/12/2014
Document Number:	37673	68465	571864	37673
Document Type:				
Transfer Amount:				
Seller (Grantor):				

Property Characteristics

Bedrooms:	Fireplace:	Units:
Baths (Full):	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms:	Pool:	Building Class:
Bldg/Liv Area:	Park Type:	Condition:
Lot Acres:	Spaces:	Site Influence:
Lot SqFt:	Garage SqFt:	Timber Preserve:
Year Built:		Ag Preserve:
Effective Year:		

THIS DOCUMENT HAS A TRUE WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

BUSINESS NO.
3011637

CITY OF ANTIOCH
FINANCE DEPT. 3RD & H STREET ANTIOCH, CA 94509-0504

BUSINESS LICENSE

KEEP FOR YOUR RECORDS
BUSINESS TAX RECEIPT

License No. **3011637**

TYPE OF BUSINESS 0G

Date of Expiration: **02/28/2019**

BUSINESS ADDRESS 2329 BUCHANAN RD UNIT B
ANTIOCH, CA 94509-4405

BUSINESS NAME **FAR EAST MASSAGE**

ATTN:

MAILING

ADDRESS

**2329 BUCHANAN RD UNIT B
ANTIOCH, CA 94509-4405**

NON TRANSFERABLE POST IN A CONSPICUOUS PLACE

THIS LICENSE IS ISSUED WITHOUT VERIFICATION
THAT THE LICENSEE IS SUBJECT TO OR EXEMPT
FROM LICENSING BY THE STATE OF CALIFORNIA.

0G	\$100.00
SB1186	\$4.00
TOTAL	\$104.00

THIS DOCUMENT IS ALTERATION PROTECTED AND REFLECTS FLUORESCENT FIBERS UNDER UV LIGHT

Attachment E

ANTIOCH POLICE DEPARTMENT



Tammany Brooks III, Chief of Police

Notice of Denial

February 4th, 2019

 **COPY**

Far East Massage
Humberto Romero
2329 Buchanan Rd
Antioch, CA 94509

Subject Property: 2329 Buchanan Rd Antioch Ca, 94509

RE: Application for registration for Far East Massage

Dear Mr. Romero,

The City of Antioch Police Department has received your application for registration for the Far East Massage. Upon review of the application, the application has been denied for the following reasons:

- **On January 3rd, 2019 an official police report was filed regarding an employee providing massage without proper licensing through CAMTC. (APD 19-0092)**
- **During an inspection of the business in January of 2019, numerous municipal and health code violations were discovered.**
- **The same employee was found to be practicing massage for training within the establishment in violation of 5-19.14(1)**
- **The manager/business owner was cited for these and other violations of the Antioch Municipal code on January 17th, 2019.**

Per ATMC 5-19.12; If a permit for a massage establishment or massage therapy technician is denied, an applicant may, within 14 calendar days after such action is taken, request a hearing before the Board of Administrative Appeals pursuant to Chapter 4 of Title 1 of the Municipal Code, at which time evidence will be received for the purpose of determining whether the action of the Police Department in denying the issuance of an annual permit should be sustained or reversed.

Sincerely,

TAMMANY BROOKS
Chief of Police

By: _____
Officer William Dee

Attachment F



City of Antioch Decision Appeal Application

RECEIVED

FEB 14 2019

CITY OF ANTIOCH
CITY CLERK

CITY OF ANTIOCH
ATTN: CITY CLERK
P.O. BOX 5007
ANTIOCH, CA 94531-5007
(925) 779-7009

Date of Decision: 2-4-2019

Name: HUMBERTO ROMERO

Property Address: 2329 BUCHANAN RD

Mailing Address: SAME

Home Phone: 925 238 6857

Work Phone: .

REASON FOR APPEAL

officer William Dee stated my application was denied because he thought I was partnern partnared with prvious owner /manage and vidations would then apply to me -

I have no partnership or interest with previous owner /mgmt.

please see attached.

Signature: HUMBERTO ROMERO

Date: 2-14-2019

Per ATMC 5-19.12

RECEIVED

2-14-2014

FEB 14 2019

CITY OF ANTIOCH
CITY CLERK

This a request for a hearing before the Board of Administrative Appeals.

On 1-4-2019, I Humberto Romero received a Notice of Denial for my application for registration for the business Far East Massage issued by officer William Dee.

The reasons for denial per officer William Dee is in reference to municipal and health violations incurred by the previous owner/manager, and the violation reference # APD 19-0092 and 5-19.14. FRI, the reference codes do not reference health violations only the ~~app~~ massage practitioner operating w/o a license. I called ~~off~~ officer William Dee to contest the violations as it is listed on the enclosed copy of the denial notice, and to inform him that I have no association with the previous owner/manager.

I was informed by officer Williams that my application for registration was originally denied because it was assumed I had a relationship with the previous owner manager and therefore the previous violations would prevent me from receiving a permit.

I explain that I am new to this business, and that I don't know the previous manager charged,

Officer William Dee instructed me to proceed with the hearing to clear this misunderstanding, and hopeful I can overturn this Denial of Notice.

Best Regards

Humberto Romero

925-238-6857 jeyro88@gmail.com

ANTIOCH POLICE DEPARTMENT

Tammany Brooks III, Chief of Police



RECEIVED

FEB 14 2019

**CITY OF ANTIOCH
CITY CLERK**

Notice of Denial

February 4th, 2019

Far East Massage
Humberto Romero
2329 Buchanan Rd
Antioch, CA 94509

Subject Property: 2329 Buchanan Rd Antioch Ca, 94509

RE: Application for registration for Far East Massage

Dear Mr. Romero,

The City of Antioch Police Department has received your application for registration for the Far East Massage. Upon review of the application, the application has been denied for the following reasons:

- On January 3rd, 2019 an official police report was filed regarding an employee providing massage without proper licensing through CAMTC. (APD 19-0092)
- During an inspection of the business in January of 2019, numerous municipal and health code violations were discovered.
- The same employee was found to be practicing massage for training within the establishment in violation of 5-19.14(1)
- The manager/business owner was cited for these and other violations of the Antioch Municipal code on January 17th, 2019.

Per ATMC 5-19.12; If a permit for a massage establishment or massage therapy technician is denied, an applicant may, within 14 calendar days after such action is taken, request a hearing before the Board of Administrative Appeals pursuant to Chapter 4 of Title 1 of the Municipal Code, at which time evidence will be received for the purpose of determining whether the action of the Police Department in denying the issuance of an annual permit should be sustained or reversed.

Sincerely,

TAMMANY BROOKS
Chief of Police

By:  #2475
Officer William Dee

Attachment G



February 20, 2019

Humberto Romero
4762 Belford Peak Court
Antioch, CA 94531

RE: Board of Administrative Appeals Hearing
Property Address: 2329 Buchanan Road, Antioch, CA
Notice of Denial: Dated 02/04/19

Dear Romero,

This is a follow up to your written request to file an appeal. However, you did not include the \$50 Board of Administrative Appeals Fee as per our City's Master Fee Schedule. The City of Antioch's Master Fee Schedule is located on our City's Website under the following link: <https://www.antiochca.gov/fc/finance/Master-Fee-Schedule-10-09-2018.pdf> (on page 22).

In order to have your Appeal heard by the Board of Administrative Appeals, we must receive your \$50 Board of Administrative Appeals Fee by **5:00 p.m. on Friday, March 1, 2019** in the Office of the City Clerk. If we do not receive your \$50 Board of Administrative Appeals Fee by the due date above, we will assume you are withdrawing your appeal.

Thank you for your prompt response.

Sincerely,

CHRISTINA GARCIA
Deputy City Clerk

cc: Humberto Romero, 2329 Buchanan Road, Antioch, CA 94509
Police Department
A/R Dept.

Enclosures

Office of the City Clerk
200 H Street
P. O. Box 5007
Antioch CA 94531-5007
Phone: (925) 779-7009/Fax: (925) 779-7007



PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) ss

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is Office of the City Clerk for the City of Antioch, 200 "H" Street, P.O. Box 5007, Antioch, California 94531-5007. On February 20, 2019, I served the within Notice, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Antioch, California addressed as follows:

Humberto Romero
4762 Belford Peak Court
Antioch, CA 94531

I, Christina Garcia, certify (or declare), under penalty of perjury, that the foregoing is true and correct. Executed on February 20, 2019, at Antioch, California.

Christina Garcia



February 20, 2019

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2329 Buchanan Road
Antioch, CA 94509

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P.O. Box 5007
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RETURN SERVICE REQUESTED

CITY CLERK

FA

OAKLAND CA 945

RECEIVED

20 FEB 2019 PM 4 L

MAR 12 2019

**CITY OF ANTIOCH
CITY CLERK**



NIXIE 957 DE 1 0003/06/19
RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD
BC: 94531500707 *1405-00467-20-42

94531500707



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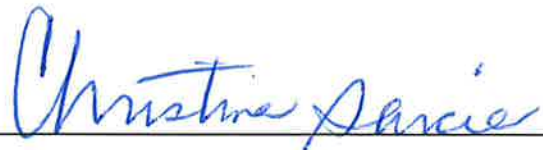
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CITY OF ANTIOCH

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NAME: Humberto RomeroDATE: (due by 03/01/19)

TRAN	ACCOUNT CODE	DESCRIPTION	AMOUNT
118	100-1250-41130	BUSINESS LICENSES	
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122	100-1250-41150	BUSINESS LICENSE APP FEE	
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900	100-1250-41130	LL OWNER, MEAS O PER UNIT BL TAX	
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EMAIL: _____

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604	611-2310-46830		
610	611-2310-47010		
171	100-5140-46020		
176	214-3320-42020		
177	100-3160-46025		
900	100-3110-46315		
900	100-1140-47010	ADMINISTRATIVE APPEAL FEE (\$50 per appeal)	\$50.00

TOTAL **\$50.00**PREPARED BY CGarcia

=====

NOT VALID UNLESS VALIDATED



CITY OF ANTIOCH ADMINISTRATIVE BOARD OF APPEALS

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- If the Board determines there was in fact good reason to issue this Decision, your appeal will be denied.

How The Board Will Rule:

The Board can only rule one of two ways:

- To uphold your appeal and dismiss the Decision.
- To deny your appeal and uphold the Decision.

Written Findings and Order:

- The Board will render their findings and recommendations after the hearing is concluded or as soon as possible.
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P.O. Box 5007
Antioch, CA 94531-5007

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CITY CLERK

H

Humberto Romero
2329 Buchanan Road
Antioch, CA 94509

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**CITY OF ANTIOCH
CITY CLERK**

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FIRST-CLASS MAIL

02/26/2019

US POSTAGE

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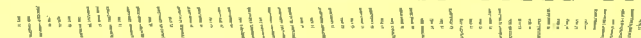


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041M11285614

NIXIE 957 DE 1 0003/04/19

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INSUFFICIENT ADDRESS
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BC: 94531500707 *1605-00222-26-40





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Police Department, A/R Dept.

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CITY OF ANTIOCH
925-779-7055

REC#: 01224928 2/25/2019 8:37 AM
OPER: RC2 TERM: 002
REF#:

TRAN: 900.0000 TRUE MISC RECEIPTS
HUMBERTO ROMERO
Miscellaneous Reven 50.00CR

TENDERED: 60.00 CASH
APPLIED: 50.00-

CHANGE: 10.00

ADMINISTRATIVE APPEAL FEE (\$50 per appeal) **\$50.00**

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March 27, 2019

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The Agenda and Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date listed above. To view the Board of Administrative Appeals Agenda information, simply click on the following link: <https://www.antiochca.gov/government/agendas-and-minutes/board-of-administrative-appeals/>. Other locations to view the Agenda are the City Council Chambers front window, City Clerk's Office, Antioch Branch Library, Senior Center on 2nd Street, and the Antioch Community Center on Lone Tree Way.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Christina Garcia".

CHRISTINA GARCIA
Deputy City Clerk

cc: Humberto Romero, 2329 Buchanan Road, Antioch, CA 94509
Police Department, A/R Dept.

Enclosures

Office of the City Clerk
200 H Street
P. O. Box 5007
Antioch CA 94531-5007
Phone: (925) 779-7009/Fax: (925) 779-7007



PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) ss

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is Office of the City Clerk for the City of Antioch, 200 "H" Street, P.O. Box 5007, Antioch, California 94531-5007. On March 27, 2019, I served the within Notice, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Antioch, California addressed as follows:

Humberto Romero
4762 Belford Peak Court
Antioch, CA 94531

I, Christina Garcia, certify (or declare), under penalty of perjury, that the foregoing is true and correct. Executed on March 27, 2019, at Antioch, California.





**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Council Chambers
200 "H" Street**

**APRIL 4, 2019
3:00 P.M.**

3:00 P.M. ROLL CALL Deborah Simpson, Chairperson
Ademuyiwa "Ade" Adeyemi, Vice Chairperson
Marie Livingston
Darrell Goodbeer
Vacant
Vacant, Alternate

PLEDGE OF ALLEGIANCE

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR MARCH 7, 2019

Recommended Action: Motion to approve the minutes.

B. CODE ENFORCEMENT APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS & ABATEMENTS FOR THE MONTH OF JANUARY 2019

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.

CONSENT CALENDAR – Continued

- C. **BUSINESS LICENSE** – APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR THE MONTH OF MARCH 2019

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.

2. REGULAR AGENDA

OATH for all intending to testify

- A. **APPLICATION OF REGISTRATION FOR "FAR EAST MASSAGE" LOCATED AT 2329 BUCHANNAN ROAD, ANTIOCH, CA** – APPEAL FILED BY HUMBERTO ROMERO, 2329 BUCHANNAN ROAD/ 4762 BELFORD PEAK COURT, ANTIOCH, CA., TO OVERTURN THE NOTICE OF DENIAL DETERMINATION MADE BY ANTIOCH POLICE DEPARTMENT [§5-19.14(1)].

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

WRITTEN/ORAL COMMUNICATIONS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the discussion items/actions proposed to be taken by the Board of Administrative Appeals. Materials provided regarding the agenda items will be available at the following website: <https://www.antiochca.gov/government/agendas-and-minutes/board-of-administrative-appeals/> or at the City Clerk's Office, City Hall, 200 H Street, Antioch, CA 94509, Monday through Friday, 8:00 a.m. to 5:00 p.m., for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. The meetings are accessible to those with disabilities. Auxiliary aides will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

Notice of Opportunity to Address the Committee

The public has the opportunity to address the Board on each agenda item. To address the Board, fill out a yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. 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".

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.



March 27, 2019

Humberto Romero
2329 Buchanan Road
Antioch, CA 94509

RE: Board of Administrative Appeals Hearing
Property Address: 2329 Buchanan Road, Antioch, CA
Notice of Denial: Dated 02/04/19

Dear Romero,

This is a follow up to our letter dated February 26, 2019. Please be advised your appeal is scheduled for Thursday, April 4, 2019, at 3:00 p.m. in the Council Chambers, 200 H Street, Antioch, CA (across the breezeway from City Hall). A copy of the Board of Administrative Appeals Agenda is attached.

All people who wish to speak at the hearing, including you, will be required to take an Oath. This case will be heard and a decision rendered by the Board of Administrative Appeals.

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Thank you.

Sincerely,

CHRISTINA GARCIA
Deputy City Clerk

cc: Humberto Romero, 4762 Belford Peak Court, Antioch, CA 94531
Police Department

Enclosures

Office of the City Clerk
200 H Street
P. O. Box 5007
Antioch CA 94531-5007
Phone: (925) 779-7009/ Fax: (925) 779-7007



PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) ss

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is Office of the City Clerk for the City of Antioch, 200 "H" Street, P.O. Box 5007, Antioch, California 94531-5007. On March 27, 2019, I served the within Notice, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Antioch, California addressed as follows:

Humberto Romero
2329 Buchanan Road
Antioch, CA 94509

I, Christina Garcia, certify (or declare), under penalty of perjury, that the foregoing is true and correct. Executed on March 27, 2019, at Antioch, California.

Christina Garcia



***** SUPPLEMENTAL *** STAFF REPORT TO THE BOARD OF
ADMINISTRATIVE APPEALS FOR CONSIDERATION AT THE
HEARING ON APRIL 4, 2019**

DATE: March 19, 2019

APPROVED BY: V. Rosales, Business License Representative

SUBJECT: **BUSINESS LICENSE** – Approval of the Levy of Special Assessments on Certain Properties for Unpaid Business License Taxes and/or Administrative Citation(s) for the Month(s) of March 2019.

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 Unpaid Business License Taxes and/or Administrative Citation(s) for the month(s) of March 2019 in the amount of **\$25,447.00**.

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 on March 18, 2019 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.

ATTACHMENT

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

4.4.2019									
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A				SUPPLEMENTAL					
AR	Customer #	APN	Amount	Lien Processing Charge	Site Address	Owner last	Owner first	Mailing address	
153393	C219161	074-430-068-2	483.00		2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	
153394	C219161	074-430-068-2	110.00		2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	
153395	C219161	074-430-068-2	220.00		2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	
153396	C219161	074-430-068-2	550.00	303.00	2420 SHADOW LN #64	HIRSHBERG	ZVI & AYELET	6261 PASO LOS CERRITOS SAN JOSE, CA 95120-4443	1666.00
153397	C215910	075-241-005-0	1046.00		2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	
153398	C215910	075-241-005-0	110.00		2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	
153399	C215910	075-241-005-0	220.00		2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	
153400	C215910	075-241-005-0	550.00	296.00	2016 CERRO CT	SABIN	DON B	2415 OLIVERA RD APT 4 CONCORD, CA 94520	2222.00
153524	C207930	055-190-020-2	783.00		2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153525	C207930	055-190-020-2	110.00		2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153526	C207930	055-190-020-2	220.00		2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153530	C207930	055-190-020-2	550.00	296.00	2620 STRAWBERRY CT	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	1959.00
153413	C207930	056-072-004-7	1046.00		4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153414	C207930	056-072-004-7	110.00		4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153415	C207930	056-072-004-7	220.00		4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	
153876	C207930	056-072-004-7	550.00	296.00	4817 VINEWOOD WAY	JONES	CORINE	PO BOX 5736 S SAN FRANCISCO, CA 94083	2222.00
153531	C219172	068-345-006-8	783.00		3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	
153532	C219172	068-345-006-8	110.00		3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	
153533	C219172	068-345-006-8	220.00		3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	
153534	C219172	068-345-006-8	550.00	296.00	3609 MOUNTAIRE DR	BALDERAS	ROBERTO I	545 W MADILL ST ANTIOCH, CA 94509	1959.00
153543	C219175	055-550-045-3	783.00		2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	
153544	C219175	055-550-045-3	110.00		2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	
153545	C219175	055-550-045-3	220.00		2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	
153546	C219175	055-550-045-3	550.00	296.00	2425 CROCKER WAY	FALEOFA	SAMIUELA	5109 PAWNEE DR ANTIOCH, CA 94531	1959.00
153469	C219166	074-153-008-3	783.00		4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	
153471	C219166	074-153-008-3	110.00		4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	
153473	C219166	074-153-008-3	220.00		4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	
153474	C219166	074-153-008-3	550.00	303.00	4440 BELLE DR	GONZALEZ	PAMELA & CRISTIAN SALAZAR	27 PINE CREEK CT PITTSBURG, CA 94565	1966.00
151612	C218630	074-440-022-7	483.00		2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	

4.4.2019									
BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR BOARD OF APPEALS									
ATTACHMENT A				SUPPLEMENTAL					
152734	C218630	074-440-022-7	110.00		2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	
152806	C218630	074-440-022-7	220.00		2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	
153855	C218630	074-440-022-7	550.00	303.00	2405 HORIZON LN # 132	MARTINEZ	JOSE R & CAROLE	5360 OLIVE DR CONCORD, CA 94521	1666.00
152740	C100420	066-159-004-2	1046.00		114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	
152741	C100420	066-159-004-2	110.00		114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	
152807	C100420	066-159-004-2	220.00		114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	
153856	C100420	066-159-004-2	550.00	296.00	114 W 7TH ST	STAMM	GEORGE A	509 B ST ANTIOCH, CA 94509	2222.00
152842	C219050	053-090-034-9	783.00		2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	
152843	C219050	053-090-034-9	110.00		2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	
153613	C219050	053-090-034-9	220.00		2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	
153614	C219050	053-090-034-9	550.00	296.00	2728 SAN GREGORIO CT	SEENO	FRANK	2312 SAN MICHELE CT CONCORD, CA 94520	1959.00
154167	C207674	051-342-022-4	283.00		2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	
154168	C207674	051-342-022-4	110.00		2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	
154169	C207674	051-342-022-4	220.00		2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	
154170	C207674	051-342-022-4	550.00	296.00	2836 FILBERT ST	PRASAD	SHANTI D TRE	783 HEAD ST SAN FRANCISCO, CA 94132	1459.00
151591	C211384	055-600-039-6	783.00		2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	
152388	C211384	055-600-039-6	110.00		2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	
153891	C211384	055-600-039-6	220.00		2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	
153892	C211384	055-600-039-6	550.00	303.00	2433 SILVERIA WAY	TARIN	HAMIDULLAH & SHAIMA	2429 CROCKER WAY ANTIOCH, CA 94531	1966.00
152769	C218539	067-192-014-8	1046.00		512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	
153120	C218539	067-192-014-8	110.00		512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	
153630	C218539	067-192-014-8	220.00		512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	
153883	C218539	067-192-014-8	550.00	296.00	512 W 17TH ST	KARIM	SANA A TRE	5520 OLD REDWOOD HWY PENNGROVE, CA 94951	2222.00
TOTAL									
GRAND TOTAL				\$25,447.00					

FINANCE DEPARTMENT



200 H St, Antioch, CA 94509

NOTICE OF INTENT TO RECORD LIEN

DATE

OWNER NAME(S)
MAILING ADDRESS
CITY, ST ZIP

SUBJECT: UNPAID BUSINESS LICENSE(S) TAXES & ADMINISTRATIVE CITATION(S)

Address: **Property Subject Address**
Parcel No: **xxx-xxx-xxx-x**
Case No: **Cxxxxxx/3xxxxx**

PLEASE BE ADVISED, the City of Antioch claims a special assessment of **\$XXXX.XX** pursuant to Cal. Gov't Code §38773.5 and Antioch Municipal Code §1-5.09 for unpaid Business License taxes, Administrative Citation(s) and penalties relating to the above referred to real property. **Said 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.

On Thursday, DATE 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. **You will need to pay the required \$50.00 appeal fee in addition to the special assessment of \$XXXX.XX.** 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. Failure to respond to this notice shall not affect the validity of the proceedings.

BE FURTHER ADVISED that the amount of the assessment shall be recorded with the Contra Costa County Recorder's office on **DATE**. Please be aware, **if a lien is recorded on your property there will be additional Lien Processing Charge of \$XXX.XX.** After the lien is recorded there will be an additional Release of Special Assessment Lien charge of \$157.00. To avoid recordation, please make payment to the City of Antioch, on or before **DATE**.

**CITY OF ANTIOCH
PO 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 regarding this letter, please call the Business License Department at **(925) 779-7059**. Thank you for your immediate cooperation.

Sincerely,

L. McNeil

Finance Services Supervisor
cc: City Attorney