



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

Date: Thursday, August 4, 2022
Time: 3:00 P.M.
Place: Antioch City Hall – Council Chambers
200 'H' Street
Antioch, CA 94509

BOARD MEMBERS

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

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

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

BOARD OF ADMINISTRATIVE APPEALS

SPEAKER RULES

NOTICE OF OPPORTUNITY TO ADDRESS THE BOARD

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

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

- 1) **WRITTEN PUBLIC COMMENT** – Written comments may be submitted electronically to the City Clerk at the following email address: cityclerk@ci.antioch.ca.us, **prior to 1:00 p.m. the day of the Board of Administrative Appeals Meeting.** Please indicate the agenda item and title in your email subject line. All comments received before 1:00 p.m. the day of the meeting, will be provided to the Board Members before the meeting.

- 2) **IN PERSON** – Fill out a Speaker Request Form, available near the entrance doors, and place in the Speaker Card Tray near the City Clerk before the meeting begins.

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

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

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

NOTICE OF AVAILABILITY OF REPORTS

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

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

NOTICE OF OPPORTUNITY TO ADDRESS THE BOARD

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

AGENDA

3:00 P.M. ROLL CALL

Ademuyiwa "Ade" Adeyemi, Chairperson
Antwon Webster, Vice Chairperson
Marie Livingston
Crystal Sawyer-White
Ronald A. Grant
Vacant, Alternate

PLEDGE OF ALLEGIANCE

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

1. CONSENT CALENDAR

A. APPROVAL OF BOARD OF ADMINISTRATIVE APPEAL MEETING MINUTES OF MAY 5, 2022

Recommended Action: Motion to approve the Meeting Minutes.

B. APPROVAL OF BOARD OF ADMINISTRATIVE APPEAL MEETING MINUTES OF JUNE 2, 2022

Recommended Action: Motion to approve the Meeting Minutes.

C. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS AND LIEN PROCESSING FEES FOR MARCH AND APRIL 2022

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

NEW ITEM

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

Recommended Action: It is recommended that the Board of Administrative Appeals review available formats for future meetings and select a preferred format based on the following options:

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

WRITTEN/ORAL COMMUNICATIONS

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

AR	CASE#	APN	AMOUNT	LIEN PROC. FEE	SITE ADDRESS	OWNER LAST	OWNER FIRST	MAILING ADDRESS	PAID
AR166281	CE2202-192	067-328-010	\$ 440.00	\$ 290.00	116 CAMPBELL AVE		2018-1 1H BORROWER LP	1717 MAIN ST DALLAS TX 75201-4657	
AR166254	CE2111-057	065-110-006	\$ 1,240.00	\$ 290.00	810 WILBUR AVE		810 WILBUR ASSOCIATES	1355 WILLOW WAY CONCORD CA 94520- 5755	
AR166283	CE2203-273	066-202-001	\$ 540.00	\$ 290.00	800 G ST	BERG	KATHLEEN	5606 LASSEN CT CLAYTON CA 94517-2115	
AR166256	CE2202-215	071-211-012	\$ 340.00	\$ 290.00	3509 LONGVIEW RD	BONAN	MAI	37140 CEDAR BLVD NEWARK CA 94560- 4102	
AR166336	CE2104-139	065-063-005	\$ 440.00	\$ 290.00	120 BEEDE WAY	BORTIN	JOSH	3721 FRUITVALE AVE #C OAKLAND CA 94602-2441	
AR166335	CE2203-326	055-190-052	\$ 340.00	\$ 290.00	5113 MARITA DR	BRANDON	MALLETT	5113 MARITA DR ANTIOCH CA 94531-8374	
AR166257	CM2203-006	052-460-014	\$ 340.00	\$ 290.00	3501 DEER VALLEY RD		CCP SHURGARD VENTURES LLC	PO BOX 25025 GLENDALE CA 91221-5025	
AR166284	CM2204-001	052-460-020	\$ 340.00	\$ 290.00	3303-3421 DEER VALLEY RD 3421		DS ANTIOCH LP	325 W WASHINGTON ST SAN DIEGO CA 92103-1946	
AR165988	CE2202-186	071-175-009	\$ 540.00	\$ 290.00	42 CLEARBROOK RD		EL-MOSALAMY, HESHAM D TRE	83 KESTRAL WAY BRENTWOOD, CA 94513- 1680	
AR165994	CE2202-110	066-184-012	\$ 440.00	\$ 290.00	301 W 8TH ST	HALLAM	JAMES I AND FLORENCE L	301 W 8TH ST ANTIOCH CA 94509-1731	
AR166071	CE2202-222	053-291-015	\$ 340.00	\$ 290.00	4513 MONTARA DR	HARDY	NANCY	4513 MONTARA DR ANTIOCH CA 94531-7751	
AR166075	CE2201-219	067-191-002	\$ 340.00	\$ 290.00	508 W 16TH ST	LI	YUAN ZHENG	508 W 16TH ST ANTIOCH CA 94509-2251	
AR166280	CE2203-185	071-050-017	\$ 440.00	\$ 290.00	234 SAN JOAQUIN AVE	MARTINEZ	JOSE	234 SAN JOAQUIN AVE ANTIOCH CA 94509- 4851	
AR166038	CE2203-018	067-333-081	\$ 340.00	\$ 290.00	2201 L ST	OMARI	AMED	2201 L ST ANTIOCH CA 94509-3413	
AR166039	CE2203-002	067-223-033	\$ 640.00	\$ 290.00	421 W 19TH ST	ORTIZ	SUNSHINE AND FROILEN	1839 17TH AVE SE ALBANY, OR 97322-6815	
AR166285	CE2203-211	055-120-070	\$ 340.00	\$ 290.00	2304 GRASSLAND WAY	POOLE	PERRY	2304 GRASSLAND WAY ANTIOCH CA 94531- 8912	

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AR165991	CE2203-046	065-291-013	\$ 100.00	\$ 290.00	1205 HARGROVE ST	STEWART	IVAN	1205 HARGROVE ST ANTIOCH CA 94509-2103	
AR166099	CE2203-323	052-172-006	\$ 700.00	\$ 290.00	1500 PAUL CT		SWH 2017-1 BORROWER LP	8665 EAST HARTFORD DR SCOTTSDALE AZ 85255-7807	
AR166252	CE2201-197	074-221-006	\$ 440.00	\$ 290.00	2508 KENNEDY WAY		SWH 2017-1 BORROWER LP	8665 EAST HARTFORD DR SCOTTSDALE AZ 85255-7807	
AR166072	CE2203-199	065-284-012	\$ 100.00	\$ 290.00	1412 JACOBSEN ST		TAH 2017-2-BORROWER LLC	1508 BROOKHOLLOW DR SANTA ANA CA 92705-5426	
AR166027	CM2202-004	056-011-030	\$ 340.00	\$ 290.00	4893 LONE TREE WAY		WALMART REAL ESTATE BUS	PO BOX 8050 MS 0555 BENTONVILLE AR 72712-8055	
AR166076	CM2202-004	056-011-030	\$ 740.00	\$ 290.00	4893 LONE TREE WAY		WALMART REAL ESTATE BUS	PO BOX 8050 MS 0555 BENTONVILLE AR 72712-8055	
AR165080	CE2108-150	055-580-040	\$ 340.00	\$ 290.00	2507 MAMMOTH WAY	WASHINGTON	HELEN A	2507 MAMMOTH WAY ANTIOCH CA 94531-9068	
AR165987	CE2203-035	071-242-005	\$ 100.00	\$ 290.00	2830 LONGVIEW RD	ZAMORA	ANGELA	2830 LONGVIEW RD ANTIOCH CA 94509-5436	
			\$ 10,640.00	\$ 7,250.00					
		TOTAL:	\$ 17,890.00						

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

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

**May 5, 2022
Council Chambers**

Chairperson Adeyemi called the meeting to order at 3:00 P.M. on Thursday, May 5, 2022.

ROLL CALL:

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

Staff Present: City Attorney, Thomas Lloyd Smith
City Clerk, Ellie Householder
Minutes Clerk, Kitty Eiden
Code Enforcement Manager, Curt Michael

PLEDGE OF ALLEGIANCE

Chairperson Adeyemi led the Pledge of Allegiance.

PUBLIC COMMENTS – None

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR MARCH 3, 2022

A motion was made by Board Member Livingston and seconded by Board Member Sawyer-White, to approve the Minutes of November 4, 2021. The Board Members present unanimously approved the motion.

City Attorney Smith clarified that it was not the November 4, 2021, Board of Administrative Appeals Meeting Minutes before the Board this afternoon and suggested the Board move to rescind the previous action and then act on the Minutes for March 3, 2022.

On motion by Board Member Sawyer-White, seconded by Board Member Livingston, the Board of Administrative Appeals members present unanimously rescinded the previous motion to approve the Minutes of November 4, 2021.

On motion by Board Member Sawyer-White, seconded by Board Member Livingston, the Board of Administrative Appeals members present unanimously approved the Minutes of March 3, 2022.

B. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS AND LIEN PROCESSING FEES FOR DECEMBER 2021 AND JANUARY 2022.

On motion by Board Member Livingston, seconded by Board Member Sawyer-White, the Board of Administrative Appeals members present unanimously approved the levy of special assessments on certain properties for unpaid administrative citations and lien processing fees for December 2021 and January 2022 in the amount of \$39,138.27.

WRITTEN/ORAL COMMUNICATIONS – None

ADJOURNMENT

On motion by Board Member Sawyer-White, seconded by Board Member Livingston, the Board of Administrative Appeals members present unanimously adjourned the meeting at 3:08 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

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

**June 2, 2022
Council Chambers**

Chairperson Adeyemi called the meeting to order at 3:02 P.M. on Thursday, June 2, 2022.

ROLL CALL:

Present: Board Members Grant, Livingston, Webster, and Chairperson Adeyemi
Absent: Board Member Sawyer-White

Staff Present: City Attorney, Thomas Lloyd Smith
City Clerk, Ellie Householder
Code Enforcement Manager, Curt Michael
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

Chairperson Adeyemi led the Pledge of Allegiance.

PUBLIC COMMENT – None

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR MAY 5, 2022

On motion by Board Member Webster, seconded by Board Member Grant, the Board of Administrative Appeals continued the Minutes for May 5, 2022. The motion carried the following vote:

Ayes: Grant, Livingston, Webster, Adeyemi

Absent: Sawyer-White

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

On motion by Board Member Livingston, seconded by Board Member Webster, the Board of Administrative Appeals confirmed each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property in the total amount of \$9,424.00. The motion carried the following vote:

Ayes: Grant, Livingston, Webster, Adeyemi

Absent: Sawyer-White

WRITTEN/ORAL COMMUNICATIONS – None

ADJOURNMENT

On motion by Board Member Webster, seconded by Board Member Grant the Board of Administrative Appeals adjourned the meeting at 3:06 P.M. The motion carried the following vote:

Ayes: Grant, Livingston, Webster, Adeyemi

Absent: Sawyer-White

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk



STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR CONSIDERATION AT THE HEARING ON AUGUST 4, 2022

Approved by: Curt Michael, Code Enforcement Manager *CM*

Date: July 21, 2022

Subject: Approval of the Levy of Special Assessments on Certain Properties for Unpaid Administrative Citations and Lien Processing Fees for March and April, 2022.

RECOMMENDATION

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

FISCAL IMPACT

The action will enable the City of Antioch to collect outstanding receivables against properties for the month(s) of March and April, 2022, in the amount of **\$17,890.00.**

BACKGROUND INFORMATION

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

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

ATTACHMENTS

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

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			\$ 10,640.00	\$ 7,250.00					
		TOTAL:	\$ 17,890.00						

NOTICE OF INTENT TO RECORD LIEN

[DATE]

[OWNER NAME]

[OWNER ADDRESS]

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

SUBJECT: NOTICE OF INTENT TO RECORD LIEN

Address: [SITE ADDRESS]

Parcel No. [SITE APN]

Case No. [CASE NO]

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

On Thursday, August 4, 2022 at 3:00 P.M. the **ADMINISTRATIVE BOARD OF APPEALS** will receive the proposed assessment for hearing and confirmation. Should you object to our **INTENT TO RECORD LIEN** and choose to challenge it at the hearing, **you must** submit any and all objections in writing to the City Clerk at least three (3) days prior to the date of said hearing. In addition, you will need to pay the required \$50.00 appeal fee. Failure to submit written objections to the City Clerk at least three (3) days prior to the hearing date shall constitute a waiver of any such objections.

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

BE FURTHER ADVISED that the amount of the assessment shall be recorded with the Contra Costa County Recorder's office by **August 9, 2022**. To avoid recordation, please make payment to the City of Antioch, on or before **August 1, 2022**. Failure to respond to this notice shall not affect the validity of the proceedings. Please be aware that if a lien is recorded on your property there will be additional fees to record, and release said lien.

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

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

Sincerely,



Curt Michael
Code Enforcement Manager
cc: City Attorney



STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR CONSIDERATION AT THE HEARING ON AUGUST 4, 2022

Approved by: Ellie Householder, City Clerk

Date: August 4, 2022

Subject: Selection of a Preference for Format of Future Meetings:
Hybrid or In-Person

RECOMMENDATION

It is recommended that the Board of Administrative Appeals review available formats for future meetings and select a preferred format based on the following options:

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

FISCAL IMPACT

This recommended action has no direct fiscal impact at this time.

DISCUSSION

At the City Council Regular Meeting on November 9, 2021, Council gave direction for each City Board/Commission/Committee to choose its desired method to meet beginning in December 2021.

At the Board of Administrative Appeals meeting on January 6, 2022, in-person meetings without video conferencing available to the public. Meetings would be broadcasted on the City website and the public could still participate remotely by calling in to a phone located in the City Council Chambers for the purpose of public comment.

During the July 26, 2022, regular meeting of the City Council, Council adopted a resolution that allows commissions, boards, and committees can continue holding virtual meetings or hybrid meetings in compliance with the following more flexible standards:

- The City is not required to provide a physical location for the public to attend or provide comments.

- Public access to the meeting via a call-in or an internet-based service option must be allowed, but the City is not required to have members of the public attend at each teleconference location.
- The City is only required to notice and post an agenda in accordance with the Brown Act provisions for in-person meetings. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.
- When notice of the time of the teleconferenced meeting given or the agenda for the meeting is posted, the City shall also give notice of the means by which members of the public may access the meeting and offer public comment.
- The City must provide an opportunity for the public to address and offer comment in real time and cannot require all public comments to be submitted in advance of the meeting.

Staff is requesting the Board of Administrative Appeals give direction on its desired method to meet moving forward. There are two available options:

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

ATTACHMENT

None.