



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**THURSDAY, DECEMBER 3, 2020
3:00 P.M.**

PURSUANT TO GOVERNOR GAVIN NEWSOM'S EXECUTIVE ORDER N-29-20, THIS MEETING WILL BE HELD AS A TELECONFERENCE/VIRTUAL MEETING. OBSERVERS MAY VIEW THE MEETING LIVESTREAMED VIA THE BOARD OF ADMINISTRATIVE APPEALS' WEBSITE AT:

<https://www.antiochca.gov/boaa/meeting/>.

Notice of Opportunity to Address the Board of Administrative Appeals

Members of the public wishing to provide public comment **prior to or during** the meeting may do so in the following ways (#2 pertains to the Zoom webinar platform):

- 1) Prior to 1:00 p.m. the day of the meeting – Written comments may be submitted electronically to the City Clerk at the following email address: cityclerk@ci.antioch.ca.us. All comments received before 1:00 p.m. the day of the meeting, will be provided to the Board Members before the meeting. **Please indicate the agenda item and title in your email subject line.**
- 2) After 1:00 p.m. the day of the meeting and during the meeting – Please see the Speakers' Rules for instructions on how to comment, on the inside cover of this Agenda. The Speakers' Rules are also listed on the Board of Administrative Appeals website located on the following link: <https://www.antiochca.gov/boaa/meeting/>.

The City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the City Clerk's Office receives your comments, you are strongly encouraged to submit your comments in writing by 1:00 p.m. the day of the meeting.

The Board of Administrative Appeals' Agendas, including Staff Reports, are posted onto our 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/>.

BOARD OF ADMINISTRATIVE APPEALS **SPEAKERS' RULES**

IMPORTANT NOTICE REGARDING THIS MEETING: To protect our residents, officials, and staff, and aligned with the Governor's Executive Order N-29-20, certain teleconference requirements of the Brown Act have been suspended, including the requirement to provide a physical location for members of the public to participate in the meeting.

Members of the public seeking to observe the meeting may do so at <https://www.antiochca.gov/boaa/meeting/>.

Members of the public wishing to provide public comment may do so in the following ways (#2 pertains to the Zoom Webinar):

- 1) Prior to 1:00 p.m. the day of the meeting – Written comments may be submitted electronically to the City Clerk at the following email address: cityclerk@ci.antioch.ca.us. All comments received before 1:00 p.m. the day of the meeting, will be provided to the Board Members before the meeting. **Please indicate the agenda item and title in your email subject line.**
- 2) After 1:00 p.m. the day of the meeting and during the meeting – To participate and provide oral public comments during the meeting, click on the following link to register in advance, to access the meeting via Zoom Webinar: <https://www.antiochca.gov/speakers>
 - You will be asked to enter an email address and a name. Your email address will not be disclosed to the public. After registering, you will receive an email with instructions on how to connect to the meeting.
 - When the Chair/Vice Chairperson announces public comments, click the "raise hand" feature in Zoom. For instructions on using the "raise hand" feature in Zoom, visit: https://www.antiochca.gov/raise_hand.

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.

The City cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the City Clerk's Office receives your comments, you are strongly encouraged to submit your comments in writing by 1:00 p.m. the day of the meeting.

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.

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. The public has the opportunity to address the Board on each agenda item. 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".

AGENDA

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

PLEDGE OF ALLEGIANCE

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

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR NOVEMBER 5, 2020

Recommended Action: Motion to approve the Minutes.

B. CODE ENFORCEMENT – APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS AND LIEN PROCESSING FEES FOR THE MONTH OF SEPTEMBER 2020

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

WRITTEN/ORAL COMMUNICATIONS

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

Unpaid Citations for Board of Administrative Appeals-December 3, 2020

AR	Case	APN	Amount	Lien Processing Fee	Site Address	Owner last	Owner first	Mailing address	Paid
AR162249	CE2008-350	072-132-005	\$433.00	\$303.00	3524 Dana Dr.	Dechristopher	Paul & Marites		
AR162124	CE2008-384	052-303-010	\$333.00	\$296.00	4109 Spaulding St.	Dillon	Deshan		
AR162116	CE2007-170	056-310-007	\$1,233.00	\$296.00	5484 Summerfield Dr.	IH5, Property West LP		1717 Main St. Dallas, TX 75201-4657	
AR162239	CE2007-170	056-310-007	\$2,233.00		5484 Summerfield Dr.	IH5, Property West LP		1717 Main St. Dallas, TX 75201-4657	
AR162128	CE2008-387	072-500-006	\$333.00	\$296.00	Lone Tree Wy	ISHC Properties		6 S El Dorado St. FL 7 Stockton, CA 95202-2804	
AR162113	CE2007-279	052-341-031	\$733.00	\$296.00	3021 Ferngrove Wy.	Johnson	Debra D		
AR162111	CE2006-250	055-680-019	\$1,233.00	\$303.00	1747 Sanger Peak Wy.	Krzykawski	Robert & Jennifer		
AR162041	CE2006-010	065-183-031	\$3,665.00	\$296.00	41 E. 18th St.	KT Builders LLC		9 Cerro Ct. Danville, CA 94526-1608	
AR162251	CE2005-057	074-191-001	\$433.00	\$296.00	1503 Crestview Dr.	Mei	Kenyon	6568 Bollinger Rd. San Jose, CA 95129-2961	
AR162245	CE2008-330	067-223-033	\$533.00	\$303.00	421 W. 19th St.	Ortiz	Sunshine & Froilan		
AR162253	CE2003-074	067-223-034	\$333.00	\$296.00	423 W. 19th St.	Property Upsurge 102 LLC		501 Railroad Ave. Pittsburg, CA 94565-2304	
AR162112	CE2007-046	075-510-035	\$1,233.00	\$296.00	5065 Carbondale Wy.	Ramin	Attiq	4541 Homestead Dr. Nazareth, PA 18064-8997	
AR161930	CE2005-076	074-121-026	\$633.00	\$296.00	2600 Somersville Rd.	TF, Antioch CA LLC		1170 Kane Concourse Bay Harbor Island, FL 33154-2006	
AR162118	CE2008-324	067-277-002	\$333.00	\$296.00	A St.	Union Pacific Railroad		PO Box 511 Stockton, CA 95201-0511	
AR162117	CE2007-177	053-352-003	\$1,233.00	\$296.00	4488 Hidden Glen Dr.	Vares	Adam J		
AR162120	CE2008-147	075-610-004	\$333.00	\$296.00	3809 Osprey Dr.	Zhang	Yixin		
AR162243	CE2008-147	075-610-004	\$733.00		3809 Osprey Dr.	Zhang	Yixin		
AR162246	CE1912-166	065-062-012	\$333.00	\$296.00	146 Merrill Dr.				
TOTAL			\$16,326.00	\$4,757.00					
GRAND TOTAL			\$21,083.00						

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

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

**November 5, 2020
Meeting Conducted Remotely**

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

Vice Chairperson Adeyemi called the meeting to order at 3:01 P.M. on Thursday, November 5, 2020.

ROLL CALL:

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

Staff Present: City Attorney, Thomas Lloyd Smith
City Clerk, Arne Simonsen
Deputy City Clerk, Christina Garcia
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

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

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR SEPTEMBER 3, 2020

On motion by Board Member Livingston, seconded by Board Member Webster, the Board of Administrative Appeals approved the Minutes for September 3, 2020. The motion carried the following vote:

Ayes: Livingston, Webster, Adeyemi

Absent: Goodbeer, Simpson

B. CODE ENFORCEMENT APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS & LIEN PROCESSING FEES FOR THE MONTH OF JULY AND AUGUST 2020.

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 amount of \$132,782.00.

The Board also directed that the same be recorded with the Contra Costa County Recorder's Office. The motion carried the following vote:

Ayes: Livingston, Webster, Adeyemi

Absent: Goodbeer, Simpson

PUBLIC COMMENTS – None

WRITTEN/ORAL COMMUNICATIONS

City Clerk Simonsen suggested Board Members seek applicants for the vacancies on the Board of Administrative Appeals.

ADJOURNMENT

On motion by Board Member Livingston, seconded by Board Member Webster, the Board of Administrative Appeals adjourned the meeting at 3:09 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk



**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR
CONSIDERATION AT THE HEARING ON DECEMBER 3, 2020**

Prepared by: Curt Michael, Code Enforcement Manager

A handwritten signature in blue ink, appearing to be "CM", is located to the right of the "Prepared by:" line.

Date: November 17, 2020

Subject: Approval of the Levy of Special Assessments on Certain Properties for Unpaid Administrative Citations & Lien Processing Fees for the Month SEPTEMBER.

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 Recorders 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 SEPTEMBER 2020 in the grand total amount of **\$21,083.00**.

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

Unpaid Citations for Board of Administrative Appeals-December 3, 2020

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