



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Council Chambers
200 "H" Street**

**DECEMBER 4, 2014
3:00 P.M.**

3:05 P.M. ROLL CALL Diana Busenbarrick, Chairperson - Absent
Deborah Simpson, Vice Chairperson - Present
Andrew Schleder - Absent
Mike Schneider = Present
Frederick Rouse - Present
Ademuyiwa "Ade" Adeyemi, Alternate - Present

PLEDGE OF ALLEGIANCE

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR NOVEMBER 6, 2014

MINUTES

Recommended Action: Motion to approve the minutes

Approved 4/0

B. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS & ABATEMENTS FOR THE MONTHS OF SEPTEMBER AND OCTOBER, 2014

STAFF REPORT

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.

Supplemental Staff Report as amended on 12/4/14 – Approved 4/0

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

WRITTEN/ORAL COMMUNICATIONS

ADJOURNMENT @ 3:12 P.M.

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: <http://www.ci.antioch.ca.us/CityGov/Agendas/default.asp> or at the City Clerk's Office located on the 3rd floor of City Hall, 200 H Street, Antioch, CA 94509, Monday through Thursday, 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.

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

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

**November 6, 2014
Council Chambers**

Chairperson Busenbarrick called the meeting to order at 3:04 P.M. on Thursday, November 6, 2014 in the Council Chambers.

ROLL CALL:

Present: Board Members Simpson, Rouse, and Chairperson Busenbarrick
Absent: Board Member Schneider, Schleder and Adeyemi

Staff Present: Deputy Director of Community Development, Ryan Graham
City Clerk, Arne Simonsen
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

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

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS SPECIAL MEETING MINUTES FOR AUGUST 28, 2014 (NO QUORUM)

On motion by Board Member Rouse, seconded by Board Member Simpson, the Board of Administrative Appeals unanimously approved the Minutes for August 28, 2014.

B. APPROVAL OF ADMINISTRATIVE APPEALS CONTINUED MEETING MINUTES FOR SEPTEMBER 4, 2014

On motion by Board Member Rouse, seconded by Board Member Simpson, the Board of Administrative Appeals unanimously approved the Minutes for September 4, 2014.

C. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS & ABATEMENTS FOR THE MONTHS OF JULY AND AUGUST 2014

Deputy Director of Community Development/Code Enforcement Manager Graham presented the staff report dated October 16, 2014 recommending the Board of Administrative Appeals 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.

BOARD OF ADMINISTRATIVE APPEALS

Regular Meeting

November 6, 2014

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Elvera Vera, Antioch resident, stated she had been cited for violations and failed to correct in a timely manner. She requested the Board allow her to make payments on her final assessment fine.

Chairperson Busenbarrick explained the Board did not have the authority to enter into an agreement for payments.

Deputy Director of Community Development Graham added Ms. Vera could contact the Finance Department to determine if they would be willing to accept partial payments. He noted even with a lien approved, payments could be made but only until August 2015. He offered to take Ms. Vera to the Finance Department so she could address the issue directly with them.

On motion by Board Member Rouse, seconded by Board Member Simpson, the Board of Administrative Appeals unanimously confirmed each assessment and the amount thereof, as proposed or as corrected and modified, and ordered it assessed against the property. The Board also directed that the same be recorded with the Contra Costa County Recorder's Office.

PUBLIC COMMENTS - None

WRITTEN/ORAL COMMUNICATIONS

In response to Board Member Rouse, Deputy Director of Community Development/Recreation Graham explained with the current process, future citations and abatements to be confirmed by the Board, would most likely reflect occurrences addressed within the past month. He added the amount of the citation varied with the amount and severity of the violations.

ADJOURNMENT

Chairperson Busenbarrick adjourned the Administrative Board of Appeals meeting at 3:17 P.M. to the next regularly scheduled meeting on December 4, 2014.

Respectfully Submitted,

Kitty Eiden
Minutes Clerk

**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS
FOR CONSIDERATION AT THE HEARING ON DECEMBER 4, 2014**

Prepared by: Ryan Graham, Deputy Director of Community Development

Date: November 24, 2014

Subject: Approval of the Levy of Special Assessments on Certain Properties for Unpaid Administrative Citations & Abatements for the months of September and October 2014

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 months of September, 2014 and several in October 2014 respectively in the amount of \$19,024.02 in unpaid Administrative Citations & Abatements.

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

CITATION & ABATEMENTS FOR CONFIRMATION

| AR | Case | APN | DEC | Amount | Owner Last | Owner First | Owner Address | Site Address | Paid |
|----------|------------|-------------|-----|------------|------------|-----------------------|---|-----------------------|------|
| AR140044 | CE1406-064 | 072-470-069 | X | \$411.82 | BUTLER | LILLIE P. | 2000 MANGROVE WAY | 2000 MANGROVE WAY | |
| AR140031 | CE1406-068 | 074-223-019 | X | \$411.82 | CHI | BRIAN DANIEL | P.O. BOX 320333, SAN FRANCISCO, CA94132 | 5205 BELLE DR | |
| AR139685 | CE1405-056 | 068-211-023 | X | \$785.00 | DAVIS | MARCUS | 3200 GARRROW DRIVE | 3200 GARRROW DRIVE | |
| AR139991 | CE1405-056 | 068-211-023 | X | \$2,554.88 | DAVIS | MARCUS | 3200 GARRROW DRIVE | 3200 GARRROW DRIVE | |
| AR140020 | CE1406-085 | 072-350-044 | X | \$411.82 | GARLAND | INGA YNEZ | 2177 ASILOMAR DRIVE | 2117 ASILOMAR DRIVE | |
| AR139983 | CE1406-077 | 071-043-011 | X | \$411.82 | HARVEY | JENI M. | 2748 ALCALA STREET | 2748 ALCALA STREET | |
| AR140326 | CE1311-067 | 055-720-028 | X | \$411.82 | HOANG | HUY DINH | 1892 TABLE MOUNTAIN WAY | 1892 TABLE MOUNTAIN | |
| AR140012 | CE1408-016 | 056-110-050 | X | \$235.00 | HOLLINS | KEVIN E. & DOROTHY | 5227 WOODSIDE WAY | 5227 WOODSIDE WAY | |
| AR140304 | CE1408-073 | 056-110-050 | X | \$411.82 | HOLLINS | KEVIN E. & DOROTHY | 5227 WOODSIDE WAY | 5227 WOODSIDE WAY | |
| AR140040 | CE1408-080 | 057-041-020 | X | \$345.00 | IVES | MARGIE E. | 116 BLOSSOM CT, SAN RAFAEL, CA 94901 | 6951 DEER VALLEY RD | |
| AR140301 | CE1408-076 | 072-390-141 | X | \$411.82 | JORDHEIM | JODY A. | 1817 VENDER CT | 1817 VENDER CT | |
| AR140027 | CE1311-090 | 067-092-016 | X | \$411.82 | JOHNSON | VIDA F. | 1101 C STREET | 1101 C STREET | |
| AR140042 | CE1311-112 | 076-221-001 | X | \$411.82 | JADEITE | LLC | 1999 HARRISON ST. OAKLAND CA94512 | 2700 BARCELONA CIR | |
| AR140022 | CE1311-086 | 066-198-009 | X | \$411.82 | KUMAR | ABRIL INVESTMENTS LLC | 1841 CHAPARRAL DR, PITTSBURG, CA94565 | 709 F STREET | |
| AR140029 | CE1311-102 | 067-294-012 | X | \$411.82 | KUMAR | LLC | P.O. BOX 232836, SACRAMENTO, CA 95823 | 308 DRAKE STREET | |
| AR140046 | CE1311-069 | 055-670-037 | X | \$411.82 | LAM | HEUNG MUI | 5383 SAN SIMEON PL.CASTRO VALLEY, CA94552 | 1812 MOUNT GOETHE CT | |
| AR140293 | CE1311-123 | 072-124-003 | X | \$411.82 | LEE | AMY | 85 W OAKWOOD AVE, LIVINGSTON, NJ07039 | 2508 SHAW CIRCLE | |
| AR140049 | CE1406-035 | 056-190-126 | X | \$411.82 | LE & NGHIA | JASON V. & THI | 3065 AUTUMNWOOD CT. SANJOSE, CA95148 | 5134 HOMESTEAD WAY | |
| AR140319 | CE1406-043 | 055-050-049 | X | \$411.82 | LESTER | HEATHER E. | 1009 STONECREST DRIVE | 1009 STONECREST DRIVE | |
| AR140050 | CE1406-105 | 067-276-015 | X | \$411.82 | LOPEZ | JOSE L. & MARIA | 235 W MADILL STREET | 235 W MADILL STREET | |
| AR140041 | CE1408-070 | 068-294-003 | X | \$345.00 | LOUDEN, | LLC | 1999 HARRISON ST., OAKLAND CA94512 | 620 LYNN AVE | |
| AR139699 | CE1405-008 | 075-411-012 | X | \$345.00 | MADISON | CLAYBORN | 3932 KITE WAY | 3932 KITE WAY | |
| AR139984 | CE1311-077 | 055-340-002 | X | \$411.82 | MAGANA | IVAN | 1319 AMBERDALE CT | 1319 AMBERDALE CT | |
| AR140025 | CE1311-104 | 067-324-004 | X | \$411.82 | PANTELL | ALLISON | 104 JOHN GILDI AVE | 104 JOHN GILDI AVE | |
| AR140045 | CE1406-107 | 067-276-020 | X | \$411.82 | RUSSO | LESLIE | 215 W MADILL STREET | 215 W MADILL STREET | |
| AR138536 | CD1401-008 | 066-032-015 | X | \$125.00 | HAYES | EDWARD PHILLIP | 9711A DUBLIN CANYON RD, CASTRO VALLEY | 43 E 6TH STREET | |
| AR140353 | CD1409-023 | 066-032-015 | X | \$1,225.00 | HAYES | EDWARD PHILLIP | 9711A DUBLIN CANYON RD, CASTRO VALLEY | 43 E 6TH STREET | |
| AR140367 | CD1409-023 | 066-032-015 | X | \$910.00 | HAYES | EDWARD PHILLIP | 9711A DUBLIN CANYON RD, CASTRO VALLEY | 43 E 6TH STREET | |
| AR139986 | CE1406-082 | 071-291-002 | X | \$411.82 | DIABLO | PROPERTIES LLC | 2268 CAMINO RAMON, SAN RAMON, CA 94583 | 3120 ACOORN RD | |
| AR140014 | CE1407-087 | 068-594-009 | X | \$345.00 | SECHO | MEY LIAM | 900 BURWOOD WAY | 900 BURWOOD WAY | |
| AR140358 | CE1407-087 | 068-594-009 | X | \$345.00 | SECHO | MEY LIAM | 900 BURWOOD WAY | 900 BURWOOD WAY | |
| AR139985 | CE1406-133 | 056-250-049 | X | \$411.82 | SANCHEZ | MARIA CRISTINA | 38 ROBBLEE AVE, SAN FRANCISCO, CA94124 | 5125 ARROYO WAY | |
| AR140018 | CE1406-048 | 055-180-052 | X | \$411.82 | SHAER | EZDEHAR | 5116 ADRIANA CT | 5116 ADRIANA CT | |

T:\NISI\Board of Administrative Appeals\2014\December\DECEMBER SPREADSHEET

ATTACHMENT "A"

