

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

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

Recommended Action: Motion to approve the minutes Approved 4/0

Β. 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: <u>http://www.ci.antioch.ca.us/CityGov/Agendas/default.asp</u> 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 р.м.

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. 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 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 months of September, 2014 and several in October 2014 respectively in the amount of <u>\$19,024.02</u> 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

ATTACHMENT "A"

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CITATION & ABATEMENTS FOR CONFIRMATIONAPNDECAmountOwner LastOwner FirstOwner AddressSite Address072-470-069X\$411.82BUTLERLILLE P.2000 MANGROVE WAY2000 MANGROVE WAY074-223-019X\$411.82CHIBRIAN DANIELP.O. BOX 320333, SAN FRANCISCO, CA941325205 BELLE DR068-211-023X\$785.00DAVISMARCUS3200 GARROW DRIVE3200 GARROW DRIVE068-211-023X\$2,554.88DAVISMARCUS3200 GARROW DRIVE3200 GARROW DRIVE072-360-044X\$411.82GARI ANDINGA YNEZ2117 ASILOMAR DRIVE2117 ASILOMAR DRIVE	2748 ALCALA STREET	CALA STREET	JENI M.		\$41	+	071-043-011	CE1406-077	AR139983	
CITATION & ABATEMENTS FOR CONFIRMATION APN DEC Amount Owner Last Owner First Owner Address Site Address 072-470-069 X \$411.82 BUTLER LILLIE P. 2000 MANGROVE WAY 2000 MANGROVE WAY 074-223-019 X \$411.82 CHI BRIAN DANIEL P.O. BOX 320333, SAN FRANCISCO, CA94132 5205 BELLE DR 068-211-023 X \$785.00 DAVIS MARCUS 3200 GARROW DRIVE 3200 GARROW DRIVE 068-211-023 X \$785.00 DAVIS MARCUS 3200 GARROW DRIVE 3200 GARROW DRIVE	2117 ASILOMAR DRIVE		INGA YNEZ		\$41 \$41	╉	072-350-044	CE1406-085	AR140020	
CITATION & ABATEMENTS FOR CONFIRMATION APN DEC Amount Owner Last Owner First Owner Address Site Address 072-470-069 X \$411.82 BUTLER LILLIE P. 2000 MANGROVE WAY 2000 MANGROVE WAY 074-223-019 X \$411.82 CHI BRIAN DANIEL P.O. BOX 320333, SAN FRANCISCO,CA94132 5205 BELLE DR 074-223-019 X \$411.82 CHI BRIAN DANIEL P.O. BOX 320333, SAN FRANCISCO,CA94132 5205 BELLE DR	3200 GABROW DRIVE	_	MARCUS		4) Q	╋	068-211-023	CE1405-056	AH139685	
CITATION & ABATEMENTS FOR CONFIRMATION APN DEC Amount Owner Last Owner First Owner Address Site Address 072-470-069 X \$411.82 BUTLER LILLIE P. 2000 MANGROVE WAY 2000 MANGROVE WAY 2000 MANGROVE WAY			BRIAN DANIEL		\$41	- < ×	0/4-223-019	CE1406-068	AH140031	
APN DEC Amount Owner First Owner Address Site Address	2000 MANGHOVE WAY	_	LILLIE P.		\$41		072-470-069	CE1406-064	AR140044	
CITATION & ABATEMENTS FOR CONFIRMATION			Owner First	÷—	Amo	DEC	APN	Case	AR	
		IRMATION	& ABATEMENTS F	CITATION						

ATTACHMENT "A"

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				\$19,024.02				TOTAL
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			1					
5104 PAWNEE DH		GUANGYU	ZHANG	\$411.82	×	056-170-024	CE1406-031	AR140051
1012 BURWOOD WAY	1012 BURWOOD WAY	SHEILA	WILEY	\$411.82 WILEY	×	052-420-016	CE1406-088	AR140021
5001 MOCCASIN COURT	5001 MOCCASIN COURT		VILLEGAS	\$411.82	×	055-230-050	CE1406-050	AR140053
DR	DR	TAHER	TAHERI	\$411.82	×	055-330-046	CE1406-053	AR140052
1132 PREWETT R	186 PELICAN LOOP, PITISBURG, CA 94565			\$345.00	×	00-080-008	CD1403-011	AH140366
2037 ASILOMAR DR		ADEL G.	\$411.82 SHOKRY	\$411.82	×	072-410-016	CE1406-063	AR140019
	22555 YELLOW STREET, HAYWARD, CA		_					