

**BOARD OF ADMINISTRATIVE APPEALS  
ADMINISTRATIVE REVIEW PANEL**

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

**January 2, 2025  
Council Chambers**

Vice Chairperson Webster called the meeting to order at 3:00 P.M. on Thursday, January 2, 2025.

**ROLL CALL:**

Present: Board Members Umair, Richelsen, Higgins, Webster  
Absent: Chairperson Adeyemi

Staff Present: Assistant City Attorney, Brittany Brace  
Code Enforcement Manager, Curt Michael  
Acting City Clerk, Vincent Manuel  
Minutes Clerk, Kitty Eiden

**PLEDGE OF ALLEGIANCE**

Vice Chairperson Webster led the Pledge of Allegiance.

**1. CONSENT CALENDAR**

**A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR NOVEMBER 7, 2024**

On motion by Board Member Richelsen, seconded by Board Member Higgins, the Board of Administrative Appeals members present unanimously approved the Minutes for November 7, 2024. The motion carried the following vote:

Ayes: Umair, Richelsen, Higgins, Webster

Absent: Adeyemi

**B. CODE ENFORCEMENT - APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS AND LIEN PROCESSING FEES FOR MAY - SEPTEMBER 2024.**

On motion by Board Member Richelsen, seconded by Board Member Umair, the Board of Administrative Appeals members present unanimously confirmed each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the properties in the amount of \$77,464.97. The Board also directed that the same be recorded with the Contra Costa County Recorder's Office. The motion carried the following vote:

Ayes: Umair, Richelsen, Higgins, Webster

Absent: Adeyemi

**2. REGULAR AGENDA**

**OATH** for all intending to testify

Acting City Clerk Manuel administered the Oath for all intending to testify.

Assistant City Attorney Brace explained the manner in which the proceedings would be conducted.

**A. CODE ENFORCEMENT - CASE NO. CE-2308-1153 / ADMINISTRATIVE CITATION NO. 400723 - APPEAL FILED BY REBEKAH MARY LOUISE JACKSON, PROPERTY LOCATION AT COOK STREET, ANTIOCH, CA - VIOLATION OF ANTIOCH MUNICIPAL CODES 5-1.202(A)(1)(a) JUNK DEBRIS; 9-5.603 ACCESSORY BUILDINGS.**

Code Enforcement Manager Michael presented the staff report dated January 2, 2025, recommending the Board of Administrative Appeals uphold Citation #400723, in the amount of \$446.00, issued to Rebekah Jackson on August 27, 2024, for violation of Antioch Municipal Code sections 5-1.202(A)(1)(a) and 9-5.603.

Rebekah Jackson, Property Owner, provided the Board of Appeals members with written comment and stated the last time she heard from Code Enforcement was in November of 2023, and at that time she had complied with all her requests. She noted the next time she heard from Code Enforcement was by letter in April. She explained that she had purchased the property from her brother in September 2021 after he had been cited. She reported that she met and walked the perimeter of the property with Code Enforcement Officer Lundsford in early 2022, took notes and followed all her instructions. She noted she had been advised by a neighbor that she could screen her carport structure, and she followed those instructions. She further noted from 2021-2023, Code Enforcement had never indicated that the carport screening was non-compliant. She stated after she had complied with all staff's requests in November 2023, she was informed via email that there were additional violations which she had corrected. She commented that she was surprised to receive notification in March regarding violations related to the carport since she was not aware the case remained open. She noted the debris in the yard was a result of home repairs and that violation had been corrected. She further noted that garbage cans were only out during the time she was working on the property.

In response to Board Member Umair, Code Enforcement Manager Michael clarified a Code Enforcement Officer met numerous times with the appellant in person as detailed in the staff report and she was present at walkthroughs with the officer as recently as last year. He noted the property owner had yet to correct the violations. He clarified that the tree referenced was not city owned, and it was the responsibility of the property owner to maintain.

In response to Board Member Richelsen, Code Enforcement Manager Michael explained that the modification to the carport was essentially categorized as junk and debris in public view. He noted there was no way to enclose the carport without obtaining a permit for that work.

In response to Vice Chairperson Webster, Code Enforcement Manager Michael stated the previous case in 2021 involved the appellants brother and the citation issued was appealed;

however, the appellant did not show up to the hearing. He explained the citation and reinspection process. He noted this case was opened on August 2023 and the citation was not issued until July 2024 after Code Enforcement had provided education and worked to gain voluntary compliance. He further noted that a violation could have been issued after the initial 10-day Notice of Violation.

In response to Board Member Richelsen, Code Enforcement Manager Michael clarified that the accumulation of debris created blight and the overgrown vegetation created a hazard for pedestrians and vehicle traffic. He explained that items in the yard needed to be fully functional. He noted that all code enforcement officers were certified through California Association of Code Enforcement Officers and attended training regularly. He further noted the decision of enforcement was based on training and experience, and any questions they had with regards to judgment, the Code Enforcement Officer consulted with him.

In response to Board Member Richelsen, Ms. Jackson explained that the extensions granted were at her request since she had hired people to work on the property and they had not returned due to criminal activity in the area.

In response to Board Member Umair, Ms. Jackson stated she thought she had cooperated with the City. She noted that the Code Enforcement Officer informed her that the case was closed and the next time she was contacted was August 2023 at which time she was informed of other violations that she corrected. She explained that she did not receive any further information until March 2024. She stated she had asked Code Enforcement to reference the code where patio furniture was not allowed, and she received no response. She offered to provide emails showing her efforts to understand compliance with the City's municipal codes.

In response to Vice Chairperson Webster, Ms. Jackson stated she understood that the citation being addressed today was for the violation of junk debris and the ADU unit. She reported that all the debris in the yard had been removed; however, the screening of the carport remained since it had never been an issue since 2022 and she had followed the instructions from Code Enforcement that her neighbor provided, believing she was in compliance. She reiterated that the garbage cans were out of public view except when she was working in the yard.

In response to Board Member Richelsen, Ms. Jackson stated she requested an extension for the appeal when her ongoing health issues worsened and she continued to try to get her workers to return to complete the repairs. She reported that at times the Code Enforcement Officer was unprofessional and commented that the account given of her interactions with staff had not been her experience. She stated she checked and maintained vegetation regularly.

Board Member Higgins commented that homeowners were responsible for maintaining their property and this issue was ongoing for 4 years. She asked the appellant if she was willing to comply and remove the ADA and debris in the front yard.

Ms. Jackson responded that she was confused and thought that only the screening needed to be removed.

In response to Vice Chairperson Webster, Code Enforcement Manager Michael clarified that the ADU referenced the pop-up tent structure, and it was not allowed without obtaining a permit or approval from the City. He noted the carport was legal; however, any improvements to the structure other than a screen door would require a permit.

Following discussion, the Board of Administrative Appeals consensus was that the ongoing code violations needed to be addressed and they supported upholding the citation.

On motion by Board Member Richelsen, seconded by Board Member Higgins the Board of Administrative Appeals members present unanimously denied the appeal and upheld the citation. The motion carried the following vote:

Ayes: Umair, Richelsen, Higgins, Webster

Absent: Adeyemi

### **WRITTEN/ORAL COMMUNICATIONS**

Vice Chairperson Webster requested staff provide statistical data for citations issued in 2023/2024 as well as staffing levels for the Code Enforcement Division.

### **ADJOURNMENT**

On motion by Board Member Richelsen, seconded by Board Member Umair the Board of Administrative Appeals unanimously adjourned the meeting at 4:05 P.M.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk