

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

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

**April 17, 2025
Council Chambers**

Vice Chairperson Webster called the meeting to order at 3:01 P.M. on Thursday, April 17, 2025.

ROLL CALL:

Present: Board Members Case, Higgins, Richelsen, Umair, Vice Chairperson Webster

Staff Present: Assistant City Attorney, Brittany Brace
Acting City Clerk, Vanessa Rosales
Code Enforcement Manager, Curt Michael
Code Enforcement Officer, Amanda Lunsford
Building Inspection Services Manager, Craig Andrews
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

Board Member Richelsen led the Pledge of Allegiance.

1. ELECTION OF A CHAIR AND VICE-CHAIR

A motion was made by Board Member Case and seconded by Board Member Higgins to appoint Vice Chairperson Webster as Chair of the Board of Administrative Appeals.

Acting City Clerk Rosales reported that Vice Chairperson Webster's term had expired, and he was serving month to month. She requested clarification from Assistant City Attorney Brace regarding the requirements to serve as Chair.

Assistant City Attorney Brace confirmed that Vice Chairperson Webster could be appointed Chair.

A vote was taken on the motion to appoint Vice Chairperson Webster as Chair of the Board of Administrative Appeals, unanimously passed.

On motion by Board Member Higgins, seconded by Board Member Richelsen the Board of Administrative Appeals unanimously appointed Board Member Umair as Vice Chairperson of the Board of Administrative Appeals.

2. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR JANUARY 2, 2025

On motion by Board Member Higgins, seconded by Board Member Richelsen, the Board of Administrative Appeals unanimously approved the Minutes for January 2, 2025.

3. REGULAR AGENDA

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

OATH for all intending to testify

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

A. CODE ENFORCEMENT - CASE NO. CE-2104-139 / ADMINISTRATIVE CITATION NO. 400743 - APPEAL FILED BY SYEDA SHAH, PROPERTY LOCATION AT BEEDE WAY, ANTIOCH, CA - VIOLATION OF ANTIOCH MUNICIPAL CODES 8-1.02 BUILDING PERMITS REQUIRED; 5-1.202(C)(1)(a) BOARDED WINDOWS; AND 5-1.202(C)(2) STATE OF DISREPAIR.

Code Enforcement Officer Lundsford presented the staff report dated April 17, 2025, recommending the Board of Administrative Appeals uphold Citation #400743, in the amount of \$1440.00, issued to Syeda F. Shah and Muhammad A Ali on December 16, 2024, for violation of Antioch municipal Code sections 8-1.02, 5-1.202(C)(1)(a) and 5-1.202 (C)(2).

Acting City Clerk Rosales administered the Oath to Syeda Shah.

Syeda Shah stated she had purchased the property in September 2023 and scheduled a fire inspection, asking about the required permits. The inspector came in April 2024 and told her she needed a permit for repairs but could continue with cleaning, painting, and landscaping. She was also told she needed a blueprint of the house for the permit, but after several attempts to get help, she had her engineer speak with Code Enforcement Officer Lundsford, who was uncooperative. Despite having already completed a fire inspection, city staff said another was needed. She noted she wanted to repair the property so she could move in, but Officer Lundsford later placed another red tag on her home. She further noted that while she was painting, a neighbor called the police, but she confirmed no one lived on the property. Additionally, the citation for hammering was for work on a neighboring property.

Cecilia Woodard stated she had been cleaning the house and maintaining the yards. She reported the neighbor was confrontational and made false claims against the property owner, leading to the property being red tagged and inaccessible for further improvements, and as a result the property was now in disrepair.

Maurice McDownell, Antioch resident, reported that the property was inspected by staff in February 2024, and he was told he could paint and begin maintenance. He noted Vector Control required the pool to be pumped, which was done. He commented that Code Enforcement Officer Lundsford was uncooperative, and the City had refused his request to be reassigned to another officer. He also stated the neighbor was confrontational and trespassed on the property. He

expressed concern that the red tag on the property prohibited entry, and any violation would result in a misdemeanor charge. He noted the windows were boarded up when the property was purchased to prevent homeless from breaking into the house. He further noted Code Enforcement informed him that a full set of blueprints were needed for the premises; however, he believed that was unnecessary since the fire on the property was confined to the garage. He reported that the owner was still prohibited from pulling permits.

Robert Griffin, Building Contractor, stated he was notified of the inspection and was told payment was required, but the owner said she had already paid it. He therefore assumed the inspection was no longer necessary. He did not believe a full set of blueprints was necessary, since the work would only affect areas damaged by the fire.

In response to Board Member Umair, Code Enforcement Manager Michael stated there was no requirement that the City change the Code Enforcement Officer assigned to a case based on a request. He further stated that he had investigated this case and found no wrongdoing by the officer.

In response to Board Member Case, Building Inspection Services Manager Andrews confirmed the City only required plans for the area affected by the fire. Based on his observation, he stated the garage roof, the house roof where it adjoined the garage, and the kitchen would need structural plans.

In response to Board Members, Code Enforcement Officer Lundsford stated that the building inspector visited the property for pre-inspection and advised the appellant that plans needed to be submitted to the Building Department; however, no plans were submitted or permits obtained. She explained that the property was red tagged due to the lack of electricity. She reported construction hours were 8:00 A.M. to 5:00 P.M., and the appellant had used gas generators at 10:00 P.M. She also noted that the owner was able to continue cleaning and maintaining the property without a permit. Lastly, she reported receiving a call from Mr. Griffin in January, scheduling a meeting for the following day, but he did not show up. She clarified there were three violations on the citation, and all remained not in compliance.

Board Member Higgins stated education, and enforcement began with the sale of the property in September 2023 and commented that a hole on the property was filled in December of 2023 without a permit. She noted that even though there was ongoing education, work had continued in an unsafe manner.

Code Enforcement Officer Lundsford reviewed the violations on the citation.

In response to Board Members, Ms. Shah stated that her General Contractor had met with the City to discuss the property's requirements. She mentioned she had only met with the building inspector on-site and was never told that work could not be done after 5:00 P.M. She expressed confusion regarding the process due to conflicting information about the permit and blueprints. She commented that she was willing to comply. She explained that because of a family emergency, they canceled their appointment with the Building Inspector and Code Enforcement

on February 25, 2025. Her sister was at the property and confirmed that the appointment had been canceled and later rescheduled.

In response to Board Members, Mr. Griffin stated since it was clarified they only needed plans for the affected areas, he could proceed quickly. He noted he had not returned to the property after it was red tagged and clarified that no work had been performed under his contractor's license.

In response to the Board Members, Ms. Shah reported that family members had done yard and pool maintenance, as well as painting. She noted that once they were informed about work hour restrictions, they had complied. Additionally, she mentioned that they did not return to the property after it was posted in December.

In response to Board Member Richelsen, Code Enforcement Officer Lunsford confirmed she replaced the original red tag after the property was sold and subsequently replaced them when they were missing during reinspection. She stated the tag indicated that 911 should be called if any work was being done outside the hours of 8:00 A.M. – 5:00 P.M. She noted the appellant could have called Code Enforcement for clarification on the restrictions. She explained that Ms. Shah was cited for not having building permits and the property being in a state of disrepair.

In response to Board Member Umair, Code Enforcement Officer Lunsford reiterated that she had met with Ms. Shah and explained what needed to be done to bring the home into compliance and informed her that plans needed to be submitted for the work to be done.

Board Member Umair commented that the owner had the responsibility of determining what needed to be done to bring the home into compliance.

In response to Chairperson Webster, Code Enforcement Officer Lunsford stated she was told by dispatch that they had contacted the property owner because they wanted to ensure the person on the property was related to the property owner.

In response to Board Members, Building Inspection Services Manager Andrews stated he had been to the property numerous times pre purchase; however, he had not been in contact with the new owner. He reported staff had completed a pre-inspection with the new property owner who was informed that a new set of plans for the affected area were required and once those were approved, they would issue the permit and proceed with the inspection process for the rebuild. He noted he had not received any inquiries from the property owner's contractor. He stated if the owner was unclear about the results of the initial fire inspection, they could reinspect the property as many times as needed, free of charge.

Chairperson Webster stated the number of hours exhausted by staff trying to bring the property into compliance was not comparable to the amount of the citation. He commented that residents were responsible for maintaining their property as required by the Antioch Municipal Code.

On motion by Board Member Higgins, seconded by Board Member Case the Board of Administrative Appeals unanimously upheld citation #400743.

Board Member Case stated she hoped the appellant understood that she could work on the property from 8:00 A.M. to 5:00 P.M. for non-permitted items and expressed her hope that construction would begin soon.

Chairperson Webster stated he wished the property owner the best and encouraged her to work with her contractor to bring the property into compliance.

Board Member Richelsen reiterated that the applicant needed to provide plans for only the affected areas, and it was the property owner's responsibility to do their due diligence to bring the property into compliance.

WRITTEN/ORAL COMMUNICATIONS - None

ADJOURNMENT

On motion by Board Member Richelsen, seconded by Board Member Higgins, the Board of Administrative Appeals unanimously adjourned the meeting at 4:14 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk