



# Minutes City of Sacramento Housing Code Advisory and Appeals Board

*Historic City Hall 915 I Street, 2<sup>nd</sup> Floor – Hearing Room*

*January 27, 2010 – 5:30 P.M.*

## **AGENDA**

**Call to Order – 5:30 pm. Meeting was adjourned @ 7:09 pm**

### **Roll Call**

	<b>PRESENT</b>	<b>ABSENT</b>	<b>TARDY (Arrival time)</b>
<b>Fritz</b>	X		
<b>Gaudreau</b>			5:32 pm
<b>McKinley</b>	X		
<b>Avery</b>	X		
<b>Mohr</b>	X		

### **Public Hearings**

Public hearings may be reordered at the discretion of the Chair.

#### 1. Housing Code Advisory and Appeals Board Training Session (Oral)

Location: Citywide

Recommendation: Receive and File – Overview of the City of Sacramento Dangerous Buildings Code and Housing Code, the City Code's requirements for service of notices and orders, the Brown Act, common law bias, and conflicts of interest under the Political Reform Act.

Contact: Michael Sparks, Senior Deputy City Attorney, 916-808-5346

Atty. Sparks started off with addressing a set of questions that Avery had submitted. He stated that there were some questions that would have to wait for another memo to be produced in order to thoroughly answer the questions and will not be able to be addressed in this forum. Chairman Mohr suggested we place this as an item on the 2/10 agenda and if Atty. Sparks is able to produce the documentation great, if not, it will just be placed on the next months agenda.

Atty. Mike Sparks further noted that there would be items within the first topic of discussion for the training, The Overview of the HDB Process, that would be better addressed in a memo to the Board, that way they will have time to digest the information and be able to come back with any necessary questions at a later date. This may be delivered at the 2/10 hearing.

Upon getting into Section IV-Enforcement of the overview documentation it was determined that we will change Ron O' Connor's title on the HCAAB agendas to Code Enforcement

Manager, regardless of what his function/current title is, he fulfills this role/title for the City per the Code so we will have it correspond on the agenda.

Section V. Appeal, subsection A holds a difference between Dangerous Buildings Code and Housing Code, Atty. Sparks will do further investigation on this matter to determine why and when it's applicable, in particular as it relates to who may appeal.

Upon getting into subsection B of Section V the Board discussed wanting to see what is sent out to the citizen. Therefore at the 2/10 HCAAB meeting a copy of the lien hearing packet and the Notice & Order packet will be distributed to each Board member and a discussion may follow suit at the 3/10 HCAAB meeting after everyone has had time to review the documentation.

Upon discussing the Brown Act it was pointed out that the three main keys to the Brown Act are meetings, agenda and public comment.

Upon discussing the Conflict of Interest section it was brought up as to how to check to see if a conflict may exist. If a Board member feels they may have an issue they may refer directly to Atty. Sparks, the California Fair Political Practices Commission and/or the pamphlet that was provided within the training that has a guideline as to how to check.

Also under this section it was discussed that if a Board member has bias they should recuse themselves, but if they have a conflict they need to abstain.

2. Select the Chair and Vice-Chair for the year 2010

Location: Citywide

Recommendation: Select the Chair and Vice-Chair for the year 2010 who will assume their duties with the first meeting in February.

Contact: Ron O' Connor 916-808-8183

This item was heard first per Chairman Mohr. After a brief discussion Mohr motioned for himself to remain as the chair of the Board, Fritz seconded the motion and all Board members present voted Aye (Gaudreau had not arrived yet).

Mohr then motioned to have Fritz as Vice-Chair, Avery seconded the motion and all Board members present voted Aye (Gaudreau had not arrived yet).

Gaudreau arrived right after the voting took place so Chairman Mohr advised her of the voting and asked if she would like to reopen it if she had a different opinion and she stated that she agreed with the Chair/Vice Chair and was fine to proceed to the rest of the meeting.

**Public Comment – Matters Not on the Agenda**  
**Board Member's Comments, Questions, Ideas, and Announcements**  
**Adjournment**