

HOUSING CODE ADVISORY AND APPEALS BOARD

Kevin McKinley, Chair
Melisa Gaudreau, Vice Chair
Irina Kachagin
Verne Gore
Barry Chamberlain

BOARD STAFF

Carl Simpson, Code and Housing Enforcement Chief
Willie Harris, Acting Principal Building Inspector
Laurie Ward, Secretary
Maila Hansen, Deputy City Attorney

Minutes

**Housing Code Advisory
and Appeals Board**
Historic City Hall 915 I Street
2nd Floor Hearing Room

Published by the
Community Development Department
(916) 808-8846

Wednesday, June 13, 2018
5:30 p.m.
NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies, you must identify yourself as a lobbyist and announce the client/business/organization you are representing.
(City Code 2.15.160).

Speaker slips are available on the City's Website and located in racks inside the chamber and should be completed and submitted to the Board Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order and estimated time for Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff Recommendation; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review, including all attachments and exhibits at the Code Compliance Division of the Community Development Department and all written material received is available at the meeting for public review.

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Code Compliance Division at (916) 808-8846 at least 48 hours prior to the meeting.

General Conduct for the Public Attending Housing Code Advisory and Appeals Board Meetings

- Members of the public attending Housing Code Advisory and Appeals Board meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of Council Rules of Procedure.
- Stamping of feet, whistles, yells or shouting, physically threatening conduct, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant-at-Arms.
- Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Board.
- Members of the public wishing to provide documents to the Board shall comply with Rule 7 D of the Council Rules of Procedure.

Members of the Public Addressing the Housing Code Advisory and Appeals Board

Purpose of Public Comment. The City provides opportunities for the public to address the Board as a whole in order to listen to the public's opinions regarding non-agendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.

- Public comments should not be addressed to individual Members nor to City officials, but rather to the Housing Code Advisory and Appeals Board as a whole regarding City business.
- While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Board.
- Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Board and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
- Members of the public with questions concerning Consent Calendar items may contact the staff person on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.

Speaker Time Limits.

In the interest of facilitating the Board's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Board during the meeting.

- **Matters not on the Agenda.** Two (2) minutes per speaker.
- **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
- **Discussion Calendar Items.** Two (2) minutes per speaker.

Time Limits per Meeting in addition to the above time limits per item, the total amount of time any one individual may address the Board at any meeting is eight (8) minutes.

- Each speaker shall limit his/her remarks to the specified time allotment.
- The Presiding Officer shall consistently utilize the timing system which provides speakers with notice of their remaining time to complete their comments. A countdown display of the allotted time will appear and will flash red at the end of the allotted time.
- In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group but with no increase in time.
- Speakers shall not concede any part of their allotted time to another speaker.
- The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be fairly applied

MINUTES

Wednesday, June 13, 2018

5:30 p.m.

Historic City Hall 915 I Street 2nd Floor Hearing Room

Open Session - 5:30 p.m.

Roll Call – McKinley, Gaudreau, Gore, Chamberlain present; Kachagin absent

Consent Calendar **Estimated Time: 5 minutes**

All items listed under the Consent Calendar are considered and acted upon by one Motion. Anyone may request an item be removed for separate consideration.

1. Approval of Minutes for May 9, 2018

Location: (Citywide)

Recommendation: Approve Board minutes for May 9, 2018

Contact: Willie Harris, Acting Principal Building Inspector, (916) 808-8184, Community Development

Action: Moved by consent unanimously 4-0.

Public Hearings

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

Notice & Order Appeals

Item #	Council District	Case/Inspector	Address	Owner
2	6	18-012670/ RICHARD LEIKER	7242 KARI ANN CR	MAN H NG
BI R. Leiker presented for City Staff and the appellants, Man Hing Ng & Benny Ng, appeared before the Board. After considering testimony and submitted documents, a motion was made to uphold staff recommendation to uphold the Notice & Order. Moved by McKinley, seconded by Chamberlain; motion carried unanimously 4-0.				

Housing & Dangerous Buildings Case Cost Recovery – Contested

Item	Summary	Council District	Case/Inspector	Address/Invoice	Owner
3	X	8	18-001280/ JOHN VANELLA	2224 FLORIN RD/ CEDCHB05928 (\$589)	LENA P LOOK
BI J. Vanella presented for City Staff and the appellant, Rena Spaeth, did not appear before the Board. After considering testimony and submitted documents, a motion was made to uphold staff recommendation in the amount of \$589. Moved by McKinley, seconded by Gaudreau; motion carried unanimously 4-0.					

4	X	8	18-001280/ JOHN VANELLA	2224 FLORIN RD/ CEDCHB06034 (\$2,424)	LENA P LOOK
BI J. Vanella presented for City Staff and the appellant, Rena Spaeth, did not appear before the Board. After considering testimony and submitted documents, a motion was made to uphold staff recommendation in the amount of \$2,424. Moved by McKinley, seconded by Gaudreau; motion carried unanimously 4-0.					
5		5	16-003687/ PAUL LOVATO	3749 BIGLER WY/ CEDCHB05850 (\$769)	ARLIS BARBA
BI P. Lovato presented for City Staff and the appellant, Arlis Barba, appeared before the Board. After considering testimony and submitted documents, a motion was made to uphold staff recommendation in the amount of \$769. Moved by McKinley, seconded by Gore; motion carried unanimously 4-0.					
6		5	16-003687/ PAUL LOVATO	3749 BIGLER WY/ CEDCHB05944 (\$622.90)	ARLIS BARBA
BI P. Lovato presented for City Staff and the appellant, Arlis Barba, appeared before the Board. After considering testimony and submitted documents, a motion was made to reduce invoice CEDCHB05944 from \$622.90 to \$322.90. Moved by McKinley, seconded by Gore; motion carried 3-1.					

Housing & Dangerous Buildings Case Cost Recovery – Uncontested

For items 7 - 32 , City Staff recommends that a resolution be adopted confirming the total charge noted by each agenda item for the expenses incurred by the City in the enforcement of the provisions of the Housing Code and/or Dangerous Buildings Code with respect to the property known by the physical address and/or parcel number (APN) as noted within each agenda item.

Gaudreau motioned to approve Uncontested Housing & Dangerous Buildings Case Cost Recovery items 7-11, 15 & 17-32 seconded by Gore; motion carried unanimously 4-0.

Item	APN	Council District	Case/Inspector	Address/Invoice	Owner
7	010-0113-002-0000	4	15-003951/ MAURICE SCHRANZ	2011 25TH ST/ CEDCHB06017 (\$834)	FRANCISCO JOSEPH DOMINGUEZ
8	019-0042-012-0000	5	18-003440/ RICHARD LEIKER	3960 28TH ST/ CEDCHB06032 (\$1,341.66)	WAQAR KHAN
9	011-0323-010-0000	6	18-003675/ RICHARD LEIKER	2992 65TH ST/ CEDCHB06026 (\$519)	QI LLC
10	021-0084-012-0000	6	17-027356/ RICHARD LEIKER	3996 71ST ST/ CEDCHB06002 (\$1,629)	DAVID J/RUTH MARION ZINNIEL
11	250-0314-008-0000	2	18-000836/ ANDY CHAVEZ	3304 BOZEMAN ST/ CEDCHB06033 (\$624)	GALE BAILEY
12	251-0081-006-0000	2	18-001614/ ELIJAH PROK	3829 ELM ST/ CEDCHB06010 (\$1,300.33)	SALEEM AHMED
Late Appeal – Rescheduled					
13	251-0081-006-0000	2	18-001614/ ELIJAH PROK	3829 ELM ST/ CEDCHB12328 (\$1,383.54)	SALEEM AHMED
Late Appeal – Rescheduled					
14	251-0081-006-0000	2	18-001614/ ELIJAH PROK	3829 ELM ST/ CEDCHB12362 (\$2,305.72)	SALEEM AHMED

Late Appeal – Rescheduled					
15	263-0302-007-0000	2	17-025710/ ELIJAH PROK	180 FAIRBANKS AV/ CEDCHB06020 (\$694)	EURO PACIFIC MORTGAGE LLC
16	025-0064-003-0000	5	17-024890/ ANDY CHAVEZ	2334 FRUITRIDGE RD/ CEDCHB06018 (\$729)	JACK T FERNANDEZ FAMILY TRUST/ETAL
Paid in Full					
17	250-0074-024-0000	2	17-018367/ MAURICE SCHRANZ	601 GRAND AV/ CEDCHB06016 (\$2,014)	SABEEHA SHAHEEN
18	049-0440-043-0000	8	17-025027/ ANDY CHAVEZ	1 KYMPER CT/ CEDCHB06005 (\$354)	M&N INVESTMENT PROPERTIES INC
19	263-0053-015-0000	2	16-027464/ MAURICE SCHRANZ	180 LINDLEY DR/ CEDCHB05982 (\$549)	NAYOMA B MCCRAY
20	237-0165-005-0000	2	18-003264/ DANIEL HUMPHREYS	4255 MARYSVILLE BL/ CEDCHB06001 (\$1,144)	GREGORY BROUSSARD
21	001-0102-011-0000	3	18-003053/ JOHN VANILLA	522 N 12TH ST/ CEDCHC12346 (\$169)	B CUBED LLC
22	001-0102-011-0000	3	18-003053/ JOHN VANILLA	522 N 12TH ST/ CEDCHB05969 (\$624)	B CUBED LLC
23	266-0160-005-0000	2	17-027868/ LEONARD DUCLOS	1932 NAOMI WY/ CEDCHB06022 (\$444)	DANYUN LIU
24	006-0234-029-0000	4	18-002545/ LEONARD DUCLOS	1604 O ST/ CEDCHC12396 (\$169)	FREMONT/DOWNTOWN SACRAMENTO PARTNERS LPS
25	006-0234-029-0000	4	18-002545/ LEONARD DUCLOS	1604 O ST/ CEDCHB06041 (\$624)	FREMONT/DOWNTOWN SACRAMENTO PARTNERS LPS
26	117-0770-091-0000	7	17-023403/ PAUL LOVATO	7 PONCIA CT/ CEDCHC12325 (\$324)	HAFISGOH/KHOTICHAH MOLY/PHAI SAN YOUSUF
27	117-0770-091-0000	7	17-023403/ PAUL LOVATO	7 PONCIA CT/ CEDCHC12324 (\$1,344)	HAFISGOH/KHOTICHAH MOLY/PHAI SAN YOUSUF
28	225-2180-004-0000	1	18-003181/ DAVID SALINOVICH	3880 TRUXEL RD #700/ CEDCHB06000 (\$444)	FAIRWAY PLAZA LLC
29	011-0136-029-0000	6	18-001869/ RICHARD V LEIKER	5009 V ST/ CEDCHB06003 (\$880.33)	TRI-POINT PROPERTIES LLC
30	252-0283-003-0000	2	17-020129/ MAURICE SCHRANZ	2125 VERANO ST/ CEDCHB06024 (\$1,061.66)	MILLAN IRVEN M MC & BERTHA MC
31	274-0640-008-0000	4	18-005079/ DAVID SALINOVICH	3620 W RIVER DR/ CEDCHB06035 (\$494)	MARYAM NOORBAKSH
32	250-0240-046-0000	3	18-001431/ MATTHEW SARTAIN	504 WINTERHAVEN AV/ CEDCHB06023 (\$1,109)	STIX DEVELOPMENT INCORPORATED

Discussion Calendar

Discussion calendar items include an oral presentation including those recommending “receive and file”.

33. HCAAB Rules of Procedure – Continued

Estimated Time: 10 Minutes

Location: Citywide

Recommendation: Discuss utility of such rules, make any edits or other comments.

Contact: Maila Hansen, Deputy City Attorney, (916) 808-5346

Action: Chairman McKinley requested the item to be continued to the next meeting for further discussion and to be voted on.

Public Comments – Matters Not on the Agenda

NONE

Member Comments – Ideas, Questions and Meeting/Conference Reports

Vice Chairman Gaudreau advised she will not be in attendance at the July meeting. City staff L.Ward advised the July meeting will be cancelled due to the lack of appeals. The next meeting will be in August.

Adjournment

6:39PM