



Minutes City of Sacramento Housing Code Advisory and Appeals Board

BOARD MEMBERS

Eric Fritz-Chair Kevin McKinley, Vice Chair Melisa Gaudreau
Michael Avery Kyla Powell

CITY STAFF

Ron O' Connor, Director of Operations
Leah Castro, Secretary
Jennifer Matsumoto, Secretary
Lan Wang, Senior Deputy City Attorney

Historic City Hall
915 I Street, 2nd Floor – Hearing Room

October 10, 2012 – 5:30 P.M.

The Housing Code Advisory and Appeals Board is a board of the City Council with decision-making authority to provide final interpretation of provisions of the City's "Housing Code" and "Dangerous Buildings Code", and to hear appeals relating to substandard and dangerous buildings.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting 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 Board you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code § 2.15.160).

Speaker slips are located on the materials table in the hearing room and should be completed and submitted to the Board Secretary.

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 of agenda items is for reference only; agenda items may be taken in any order deemed appropriate by the Board. The agenda provides a general description and staff recommendations; however, the Board may take action other than what is recommended. The agenda is available for public review three days prior to the meeting. Hard copies of the agenda, synopsis/minutes, and staff reports are available from the Code Enforcement Department at 915 I St MC21000 (25 cents for the first page and 10 cents for every page thereafter).

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Code Enforcement Department at (916) 808-7959 at least 48 hours prior to the meeting.

MINUTES

All items listed are heard and acted upon by the Housing Code Advisory and Appeals Board unless otherwise noted.

Call to Order

Roll Call- All board members present except Powell.

Consent

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

1. Approval of Minutes for September 12, 2012

Location: (Citywide)

Recommendation: Approve Board minutes for September 12, 2012.

Contact: Ron O'Connor, Operations Manager, (916) 808-8183

Action: Moved by Gaudreau, seconded by Avery, and carried 4-0 to approve minutes as amended.

Public Hearings

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

Public Hearing

Notice & Order Appeals

Item #	Council District	Case #	Address	Owner
2	1	12-009440/ RON O'CONNOR	0 EL DALA LN	K HOVNIANIAN AT WESTSHORE LLC
** Rescheduled to 11/14/12 **				

Housing & Dangerous Buildings Case Cost Recovery - Contested

Item	Summary	Appeal	Council District	Case/Inspector	Address/Invoice	Owner
3		X	5	11-014534/ CHARLIE SHERMAN	3850 4 TH AV/ CEDCHC07150(\$1600)	FIRST ENG EVANGEL LUTHERAN CHURCH
BI C.Sherman presented for City Staff. A representative for the church, Trudy Franzen, appeared. After hearing from both sides and review of all submitted documents, the Board moved to reduce the staff recommendation to \$900. Moved by Avery, second by Fritz, and carried 4-0.						
4	X	X	8	12-007879/ CHARLIE SHERMAN	7465 CANDLEWOOD WY/ CEDCHB00087(\$438)	LACOSTA LOAN INC.
5		X	8	12-007879/ CHARLIE SHERMAN	7465 CANDLEWOOD WY/ CEDCHC07390(\$1600)	LACOSTA LOAN INC.
BI C.Sherman presented for City Staff. The appellant did not appear before the Board. After hearing testimony and review of all submitted documents, the Board moved to uphold staff recommendation for Item 4 for the full amount. Moved by Avery, second by Fritz, and carried 3-1. For Item 5, the Board moved to uphold staff recommendation for the full amount. Moved by Avery, second by Fritz, and carried 4-0.						
6		X	7	11-015528/ CHAD GARBER	6300 HEATH WY/ CEDCHC06349(\$83.33)	NICKOLAS J. ANDRADE
7	X	X	7	11-015528/ CHAD GARBER	6300 HEATH WY/ CEDCHC06350(\$398)	NICKOLAS J. ANDRADE

BI C.Garber presented for City Staff. The appellant Nickolas Andrade appeared before the Board. After hearing testimony and review of all submitted documents, the Board moved to uphold staff recommendation for Item 6 for the full amount. Moved by Fritz, second by Avery, and carried 4-0. For Item 7, the Board moved to uphold staff recommendation for the full amount. Moved by Fritz, second by Avery, and carried 4-0.

8		X	4	11-008636/ MAURICE SCHRANZ	920 S ST/ CEDCHC07358(\$1476)	MAXIMILLION CAPITOL LLC
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BI M.Schranz presented for City Staff. The appellant Paul Mineer appeared before the Board. After hearing testimony and review of all submitted documents, the Board moved to reduce staff recommendation to \$738. Moved by Fritz, second by Avery, and carried 3-1.

9		X	4	11-004127/ RON O'CONNOR	4059 SAN FILIPPO WY/ CEDCHC06169(\$1500)	K HOVNIANIAN AT WESTSHORE LLC
10		X	4	11-004125/ RON O'CONNOR	4065 SAN FILIPPO WY/ CEDCHC06171(\$1500)	K HOVNIANIAN AT WESTSHORE LLC

**** Pulled from agenda, rescheduled to a later date ****

11		X	3	11-006788/ DAVID SALINOVICH	506 W. SILVER EAGLE RD/ CEDCHC07165(\$1400)	JESSE E. & MARY M. MARTINEZ
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BI D.Salinovich presented for City Staff. The appellant Mary Martinez appeared before the Board. After hearing testimony and review of all submitted documents, the Board moved to reduce staff recommendation to \$0. Moved by Fritz, second by Avery, and carried 4-0.

Housing & Dangerous Buildings Case Cost Recovery - Uncontested

For items 12 - 71, 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.

Items 12 – 71 all had good service and went uncontested. Those items are read in as a blanket. Moved by McKinley, second by Fritz, and carried 4-0. Motion passed.

Item	APN	Council District	Case/Inspector	Address/Invoice	Owner
12	014-0188-005-0000	5	11-027640/ CHARLIE SHERMAN	4136 7TH AV/ CEDCHC07392(\$1600)	DALE PETER BABIJ
13	021-0033-017-0000	5	12-000587/ CHARLIE SHERMAN	5312 15TH AV/ CEDCHC07410(\$100)	KNIGHTSWOOD LLC
14	009-0215-002-0000	4	H040019999/ CHAD GARBER	2209 17TH ST/ CEDCHC07427(\$100)	JOHN TOWNER
15	020-0131-038-0000	5	12-000131/ RANDY STRATTON	3724 17TH AV/ CEDCHC07407(\$1600)	HARDIP CHAHAL
16	007-0142-017-0000	4	09-049841/ CHAD GARBER	1328 19TH ST/ CEDCHC05654(\$1700)	CHEAP SAC HOMES LLC
17	020-0216-001-0000	5	12-000900/ RICHARD LEIKER	3804 20TH AV/ CEDCHC07412(\$1600)	EL DORADO HOLDING COMPANY INC.
18	020-0214-030-0000	5	08-005629/ JOHN VANELLA	3701 21ST AV/ CEDCHC06880(\$312)	LOUISE BOSTON
19	007-0256-010-0000	4	12-007745/ CHAD GARBER	1500 24TH ST/ CEDCHB00105(\$1079.44)	SHEREEN G. SKALSKY
20	007-0256-010-0000	4	12-007745/ CHAD GARBER	1500 24TH ST/ CEDCHB00109(\$1071.19)	SHEREEN G. SKALSKY
21	019-0115-014-0000	5	11-029714/ BO COSLEY	2501 24TH AV/ CEDCHC07398(\$200)	JAMES ANDERSON / BREANDA SHELTON
22	010-0127-021-0000	4	12-005328/ RICHARD LEIKER	2031 27TH ST/ CEDCHC07445(\$100)	WELLS FARGO BANK
23	020-0042-013-0000	5	09-049100/ RICHARD LEIKER	4040 32ND ST/ CEDCHC07428(\$100)	EUGENE E. WALLS / JANIE M. WALLS
24	027-0071-039-0000	6	H050014173/ CHARLES SHERMAN	7717 32ND AV AKA 7713 32ND AV/ CEDCHC07062(\$200)	GORDON LANE
25	013-0393-019-0000	5	11-016368/ CHARLIE SHERMAN	3617 34TH ST/ CEDCHC06987(\$252.40)	JP MORGAN CHASE BANK
26	010-0142-009-0000	5	12-000791/ RANDY STRATTON	2100 36TH ST/ CEDCHC07411(\$1600)	JACK/PRINCIE SMITH FAMILY TRUST

27	020-0071-012-0000	5	11-017569/ CHARLIE SHERMAN	4020 39TH ST/ CEDCHB00099(\$1325.20)	AMAR PATEL
28	014-0221-010-0000	5	09-041864/ CHARLES SHERMAN	3340 44TH ST/ CEDCHC07081(\$208)	GORDON LANE
29	014-0249-006-0000	5	11-026292/ RANDY STRATTON	3620 44TH ST/ CEDCHC07388(\$1600)	ESAM KHACHO
30	014-0291-011-0000	5	11-015564/ CHARLIE SHERMAN	3724 47TH ST/ CEDCHB00114(\$456)	ELAINE L WILLIAMS
31	014-0291-011-0000	5	11-015564/ CHARLIE SHERMAN	3724 47TH ST/ CEDCHC06990(\$215.59)	ELAINE L WILLIAMS
32	014-0291-011-0000	5	11-015564/ CHARLIE SHERMAN	3724 47TH ST/ CEDCHC07454(\$100)	ELAINE L WILLIAMS
33	011-0241-029-0000	6	11-027440/ DONNA BARTON	2197 57TH ST/ CEDCHC07391(\$100)	ANGIE D. BRIBIESCAS/ DOLORES BRIBIESCAS
34	023-0132-003-0000	6	12-008087/ RICHARD LEIKER	5120 59TH ST/ CEDCHB00094(\$436)	JOHN E/CORRINA M. FRANK/SHIRLEY P. CARVER/ETAL
35	047-0154-017-0000	8	11-006711/ CHARLIE SHERMAN	2336 66TH AV/ CEDCHC06277(\$1548.40)	DEUTSCHE BANK
36	027-0040-011-0000	6	11-026707/ BO COSLEY	5749 66TH ST/ CEDCHC07389(\$200)	WILLIAM P WALTER TRUST/ JOCHEN WEISSE/ ETAL
37	251-0032-018-0000	2	10-017912/ LARRY ECCLESTON	3912 ALDER ST/ CEDCHB00106(\$324.40)	PENDERGAST LIMITED FAMILY PARTNERSHIP
38	250-0260-019-0000	2	08-017534/ DAVID SALINOVICH	0 ALTOS AV/ CEDCHC06345(\$100)	RUTH EVERETT
39	262-0181-004-0000	3	12-008580/ LEONARD DUCLOS	2808 AMERICAN AV/ CEDCHB00107(\$298)	PAMELA F. SAUL
40	275-0144-013-0000	2	12-001829/ LEONARD DUCLOS	570 ARDEN WY/ CEDCHC07416(\$100)	PARK TOWNE HOLDINGS LP
41	252-0191-008-0000	2	11-022558/ MAURICE SCHRANZ	3625 ASTORIA ST/ CEDCHC07424(\$300)	848 LLC
42	275-0112-009-0000	2	12-002981/ DON MARCHESCHI	2103 BARSTOW ST/ CEDCHB00092(\$298)	J SANTIAGO NAPOLES
43	117-0073-002-0000	8	12-002074/ CHARLIE SHERMAN	6845 CHERRYWOOD CIR/ CEDCHC07418(\$100)	INEZ PULIDO
44	035-0334-007-0000	5	12-001912/ DONNA BARTON	7071 DEMARET DR/ CEDCHC07417(\$200)	KATHERINA Y./ PAUL GRILEY
45	225-0711-002-0000	3	12-006689/ CHAD GARBER	1206 EDMONTON DR/ CEDCHB00112(\$353.59)	SHARON K. GRANT
46	225-0711-002-0000	3	12-006689/ CHAD GARBER	1206 EDMONTON DR/ CEDCHC07432(\$100)	SHARON K. GRANT
47	275-0086-007-0000	2	12-008611/ DAVID SALINOVICH	1620 EL MONTE AV/ CEDCHB00088(\$554.80)	JUARROS TRUST
48	275-0086-007-0000	2	12-008611/ DAVID SALINOVICH	1620 EL MONTE AV/ CEDCHC07393(\$750)	JUARROS TRUST
49	117-0710-054-0000	7	12-008768/ CHARLIE SHERMAN	5351 EULER WY/ CEDCHB00108(\$564.79)	FEDERAL HOME LOAN MORTGAGE CORPORATION
50	053-0093-022-0000	7	12-006656/ RICHARD LEIKER	3689 FALLIS CR/ CEDCHB00095(\$376)	MUNIAMMA MURTI / ROHINI MURTI
51	225-1630-042-0000	1	11-028786/ LEONARD DUCLOS	480 FORASTERA CIR/ CEDCHC06267(\$215.59)	KHALSA DHANNA S
52	022-0151-024-0000	5	10-022150/ RANDY STRATTON	5127 FRANKLIN BL/ CEDCHB00097(\$456)	BAYVIEW LN SERVICING, LLC
53	250-0091-009-0000	2	11-011309/ CHAD GARBER	632 GRAND AV/ CEDCHC07419(\$100)	BARRY B. EKKAPHANH
54	022-0266-013-0000	5	12-002424/ DONNA BARTON	5465 LAWRENCE DR/ CEDCHC07420(\$200)	ERNESTINA E. AYSON

55	117-0612-010-0000	7	11-005567/ BO COSLEY	4948 LION GATE WY/ CEDCHC06344(\$100)	BIGTIME BASKETBALL ACADEMY INC
56	008-0315-002-0000	3	12-001580/ CHAD GARBER	6033 M ST/ CEDCHC07413(\$1500)	CATHERINE GRIFFITH/ ALICE SULLIVAN
57	052-0123-018-0000	8	10-015240/ GENE CALUYA	1748 NEIHART AV/ CEDCHC06144(\$1600)	JOSEPH W / JOANN M IPPOLITO
58	238-0072-001-0000	2	10-002761/ DAVID SALINOVICH	226 NIMITZ ST/ CEDCHC06145(\$100)	QS 69 CORPORATION
59	238-0072-001-0000	2	10-002761/ DAVID SALINOVICH	226 NIMITZ ST/ CEDCHC06146(\$2395.60)	QS 69 CORPORATION
60	263-0142-025-0000	2	07-056292/ LEONARD DUCLOS	2756 OAKMONT ST/ CEDCHB00103(\$351.12)	JOSE & JUANA NAVARRO
61	119-0250-059-0000	7	11-003385/ DONNA BARTON	4200 RED DEER WY/ CEDCHB00110(\$376)	AARON A. / HELEN M. PORTER
62	265-0072-028-0000	2	12-004137/ MAURICE SCHRANZ	3042 RIO LINDA BL/ CEDCHB00115(\$456)	RICK RODRIGUEZ
63	252-0202-018-0000	2	11-013371/ LARRY ECCLESTON	3624 RIPLEY ST/ CEDCHC06355(\$100)	CALIFORNIA FOUNDATION INC
64	252-0202-018-0000	2	11-013371/ LARRY ECCLESTON	3624 RIPLEY ST/ CEDCHC06356(\$1084)	CALIFORNIA FOUNDATION INC
65	251-0311-049-0000	2	12-004158/ DON MARCHESCHI	1156 RIVERA DR/ CEDCHC06986(\$1453.19)	BENNIE E BELL
66	117-0475-014-0000	7	11-031609/ DONNA BARTON	5281 SHORTWAY DR/ CEDCHC07438(\$200)	AUGUSTINE M. PARKER
67	226-0043-010-0000	1	10-011147/ LEONARD DUCLOS	721 SOTNIP RD/ CEDCHC05347(\$100)	MARIA MONTEON
68	021-0201-023-0000	5	11-008557/ RANDY STRATTON	4515 STOCKTON BL/ CEDCHC06172(\$1700)	MILTON ZEDOLION/BETTY
69	039-0241-022-0000	6	12-006817/ RANDY STRATTON	6450 STOCKTON BL/ CEDCHB00101(\$438)	THAI TRAIN PROPERTIES LLC
70	250-0200-045-0000	2	08-011221/ LEONARD DUCLOS	3489 TAYLOR ST/ CEDCHB00104(\$312)	GOOD SAMARITAN CHURCH JESUS CHRIST
71	036-0043-008-0000	5	12-000509/ CHARLIE SHERMAN	6228 VENTURA ST/ CEDCHC07409(\$1600)	COQUAN SI

Staff Reports

Staff reports include oral presentations and those recommending receive and file.

72. **Introductory Comments on Agenda (Oral)**

Location: Citywide

Recommendation: Review and Comment -- Suggested wording for introductory comments and agenda.

Contact: Ron O' Connor, 916-808-8183

Action: City Attorney Lan Wang presented the Board with material on due process for their review. He also provided wording for the Board to consider for the introductory comments. Lan will send an email to the Board with the wording and this item we be agendized for the next hearing for final consideration.

73. **Documents in Other Languages (Oral)**

Location: Citywide

Recommendation: Review and Comment – Discussion concerning policy of documentation from Housing and Dangerous Buildings being offered in other languages.

Contact: Ron O' Connor, 916-808-8183

Action: City Staff, Ron O'Connor, discussed an item going to Council discussing procedures for the whole department but does not know if there is money in the budget to implement this. Avery made a recommendation that the department find a way to provide important documents at least in Spanish. The Board discussed the possibility of providing documents in other languages that outline the entire process for customers.

74. **Securements by City Contractors (Oral)**

Location: Citywide

Recommendation: Review and Comment -- Discussion of the process for securements, in particular quality control for contractors.

Contact: Ron O' Connor, 916-808-8183

Action: City Staff, Ron O'Connor, discussed that the work completed by City contractors is checked by the inspectors and if it is not sufficient the contractor is sent back out to the site. The Board and City Attorney discussed the City's liability for securements performed. Ron O'Connor confirmed for the Board that the date noted on the invoice is the date of the securement.

75. **Notice and Order Process (Oral)**

Location: Citywide

Recommendation: Review and Comment -- Discussion of the Notice and Order process.

Contact: Ron O' Connor, 916-808-8183

Action: The Board discussed the communication that is made with the appellant regarding the appeal process for the Notice and Order. City Staff, Jennifer Matsumoto, informed the Board of our process handling the appeals when they come in and contacting the appellant to discuss the process. The Board and City Attorney discussed the Board's authority in the cost recovery hearings in relation to the validity of the Notice and Order. The Board briefly reviewed and discussed a document that is mailed out for the lien hearing and it will be emailed out to all board members to review. A follow up on this item will be agendized for the next hearing.

Public Comment – Matters Not on the Agenda

- Public comment made by Joanne Chan who represents JP Morgan Chase regarding item #25 for 3617 34th Street. She inquired about the outstanding fees on this case and if there was an interested buyer on this property.

Board Member's Comments, Questions, Ideas, and Announcements

- McKinley requested an agenda item for the next hearing to discuss when a title and termination are required on a case. Ron O'Connor provided the Board with a brief summary of the procedures.

Adjournment – 7:55 PM