

HOUSING CODE ADVISORY AND APPEALS BOARD

Eric Fritz, Chair
Kevin McKinley, Vice Chair
Melisa Gaudreau
Kyla Powell
Vacant

BOARD STAFF

Ron O'Connor, Director of Operations
Holly Bava, Secretary
Lan Wang, Senior 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, May 14, 2014

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

AGENDA

Wednesday, May 14, 2014

5:30 p.m.

Historic City Hall 915 I Street 2nd Floor Hearing Room

Open Session - 5:30 p.m.

Roll Call – McKinley, Gaudreau and Powell present; Fritz 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 March 12, 2014

Location: (Citywide)

Recommendation: Approve Board minutes for March 12, 2014

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

Action: Moved by consent unanimously 3-0.

Public Hearings

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

Notice & Order Appeals

Item #	Council District	Case #	Address	Owner
2	7	14-005700/ GENE CALUYA	5500 TROUTDALE WY	TROUTDALE TRUST 5500
BI G. Caluya presented for City Staff and the appellant, Raul Chavez, appeared before the board. After hearing testimony and reviewing submitted documents, a motion was made to uphold staff recommendation. Moved by Powell, seconded by McKinley; motion carried 2-1.				

Housing & Dangerous Buildings Case Cost Recovery - Contested

Item	Summary	Appeal	Council District	Case/Inspector	Address/Invoice	Owner
3		X	3	13-016510/ LARRY ECCLESTON	355 34 TH ST/ CEDCHC09245 (\$219)	WILLIAM C. BARTLETT/LINDA A. SIEGRIST
BI L. Eccleston presented for City Staff and the appellants, Bruce & Linda Siegrist, appeared before the board. After hearing testimony and reviewing submitted documents, a motion was made to uphold staff recommendation. Moved by McKinley, seconded by Gaudreau; motion carried unanimously 3-0.						
4		X	2	13-013974/ DAVID SALINOVICH	471 ARDEN WY/ CEDCHC09296 (\$1,619)	MUNIR KHAN
BI D. Salinovich presented for City Staff and the appellant, Munir Khan, did not appear before the Board. After considering testimony and submitted documents, a motion was made to uphold staff recommendation. Moved by McKinley, seconded by Gaudreau; motion carried unanimously 3-0.						

5		X	8	13-015177/ ANDY CHAVEZ	75 QUINTA CT/ CEDCHC09243 (\$2,169)	RESOLUTION FUND MANAGEMENT LLC
BI A. Chavez presented for City Staff and the appellant, David Leventhal, did not appear before the Board. After considering testimony and submitted documents, a motion was made to uphold staff recommendation. Moved by McKinley, seconded by Powell; motion carried unanimously 3-0.						
6		X	8	13-017466/ GENE CALUYA	2641 WOOD VIOLET WY/ CEDCHC09289 (\$1,619)	DUANE LYONS
BI G. Caluya presented for City Staff and the appellant, Duane Lyons, did not appear before the Board. After considering testimony and submitted documents, a motion was made to uphold staff recommendation. Moved by McKinley, seconded by Gaudreau; motion carried unanimously 3-0.						

Housing & Dangerous Buildings Case Cost Recovery - Uncontested

For items 7 – 73, 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 7-12, 14-22, 24-29, 31-35, 37-45, 47-48, 50-73, seconded by Powell; motion carried unanimously 3-0.

Item	APN	Council District	Case/Inspector	Address/Invoice	Owner
7	011-0233-013-0000	6	13-016600/ DONNA BARTON	5500 2ND AVE/ CEDCHC09290 (\$119)	MARTA-BELLA M. BAUER
8	014-0171-009-0000	5	12-008955/ RICHARD LEIKER	3889 7TH AVE/ CEDCHB01964 (\$559)	J/J CAPITAL LLC
9	014-0244-010-0000	5	13-019846/ RICHARD LEIKER	4072 11TH AVE/ CEDCHC09238 (\$1,694)	TURN KEY ASSET INC
10	014-0244-010-0000	5	13-019846/ RICHARD LEIKER	4072 11TH AVE/ CEDCHB01879 (\$1,543)	TURN KEY ASSET INC
11	014-0251-031-0000	5	13-008672/ JOHN VANELLA	4631 11TH AVE/ CEDCHB01896 (\$307)	GMAC MTG LLC
12	020-0132-009-0000	5	12-003628/ RICHARD LEIKER	3704 18TH AVE/ CEDCHB01933 (\$307)	BERNARD AJIE MURPHY
13	020-0132-010-0000	5	13-017790/ ANDY CHAVEZ	3706 18TH AVE/ CEDCHC09271 (\$1,619)	MARK HUTCHASON & BELINDA GUTIERREZ
Paid In Full					
14	020-0214-031-0000	5	12-010605/ ANDY CHAVEZ	3631 21ST AVE/ CEDCHB01934 (\$445)	ELLA MAE LOFTON
15	052-0033-004-0000	8	13-013978/ DONNA BARTON	7633 22ND ST/ CEDCHC09297 (\$219)	JONATHAN TORRENTE & CLARENE LEW
16	022-0032-002-0000	5	13-020604/ RICHARD LEIKER	3908 23RD AV/ CEDCHB01720 (\$1,579)	PACCO PROPERTIES,LP
17	022-0032-002-0000	5	13-020604/ RICHARD LEIKER	3908 23RD AV/ CEDCHC09247 (\$1,619)	PACCO PROPERTIES,LP
18	007-0343-024-0000	4	13-000240/ MAURICE SCHRANZ	1617 28TH ST/ CEDCHB01953 (\$217)	QUICK TURN ENTERPRISES INC
19	013-0401-009-0000	5	12-029125/ RICHARD LEIKER	3546 37TH ST/ CEDCHB01941 (\$433)	TRUSTEES OF THE FARMER SHELTER TRUST, WHOSE TRUSTEES ARE ASSET MGMT & PLANNING & EUGENE C. MELVIN

20	013-0401-009-0000	5	12-029125/ RICHARD LEIKER	3546 37TH ST/ CEDCHB01959 (\$259)	TRUSTEES OF THE FARMER SHELTER TRUST, WHOSE TRUSTEES ARE ASSET MGMT & PLANNING & EUGENE C. MELVIN
21	025-0222-026-0000	5	13-014496/ RICHARD LEIKER	2961 38TH AVE/ CEDCHC09299 (\$1,733)	CARLOS & VITALINA HERRERA/MANUEL & YOLANDA PEINADO
22	014-0274-007-0000	5	12-011409/ ANDY CHAVEZ	3832 43RD ST/ CEDCHB01938 (\$331)	FLAGSTAR BANK, FSB
23	023-0132-003-0000	6	12-008087/ RICHARD LEIKER	5120 59TH ST/ CEDCHB01890 (\$433)	JOHN E. & CORRINA M. FRANK
Paid In Full					
24	015-0293-004-0000	6	13-021859/ RICHARD LEIKER	3828 65TH ST AKA 3830/ CEDCHC09252 (\$1,619)	MARY L. SYDNEY, ACQUIRED AS MARY L. WORTH
25	047-0153-015-0000	8	14-001574/ BO COSLEY	2319 66TH AVE/ CEDCHB01962 (\$224.60)	FIFTY 5 LP
26	047-0264-003-0000	8	12-010097/ BO COSLEY	2195 68TH AVE/ CEDCHB01883 (\$280.19)	MATTIE D. HENDERSON
27	251-0324-012-0000	2	13-022077/ DAVID SALINOVICH	1439 ARCADE BLVD/ CEDCHB01945 (\$583)	MICHAEL S. AGUILAR
28	238-0150-015-0000	2	13-018998/ CHAD GARBER	4212 BARBARA ST/ CEDCHC09280 (\$1,519)	ROBERT ROBBINS
29	053-0081-015-0000	8	13-002698/ BO COSLEY	2621 CADJEW AV/ CEDCHB01722 (\$355)	MONNA SUE AYERS, TRUSTEE
30	119-0200-112-0000	8	13-020784/ GENE CALUYA	221 CEDAR ROCK CIR/ CEDCHC09249 (\$1,619)	ROHIT & LEENA CHANDRA
Late Appeal Received					
31	078-0162-004-0000	6	12-006183/ RICHARD LEIKER	8611 CLIFFWOOD WY/ CEDCHB01891 (\$452.60)	PATRICIA M. RUDDEN & JOHN R. BONOKOWSKI II
32	225-2340-036-0000	1	13-023384/ LARRY ECCLESTON	4201 DARDANELLES ST/ CEDCHB01960 (\$433)	GREGORY JACKS
33	225-2340-036-0000	1	13-023384/ LARRY ECCLESTON	4201 DARDANELLES ST/ CEDCHC09302 (\$219)	GREGORY JACKS
34	119-0353-029-0000	7	13-013411/ RICHARD LEIKER	4100 DEERBROOK DR/ CEDCHC09288 (\$1,519)	KUMAR SURESH
35	035-0024-009-0000	5	13-023369/ JOSH PINO	6748 DEMARET DR/ CEDCHB01925 (\$379)	ROYAL CALIKING INVS, LLC
36	013-0137-022-0000	5	13-023495/ LEONARD DUCLOS	3063 DONNER WY/ CEDCHB01921 (\$295)	EQUITY SMART INVESTMENTS, LP
Late Appeal Received					
37	263-0216-025-0000	2	13-016636/ MAURICE SCHRANZ	109 EL CAMINO AVE/ CEDCHC09241 (\$1,619)	FRANCISCO J DEANDA & CHRISTINA OWRE DEANDA
38	275-0014-006-0000	2	12-029065/ LARRY ECCLESTON	128 EL CAMINO AVE/ CEDCHB01949 (\$307)	MANMOHAN SINGH
39	019-0043-033-0000	5	13-024269/ RICHARD LEIKER	3900 FRANKLIN BLVD/ CEDCHB01957 (\$433)	AVILA FAMILY TRUST
40	019-0134-004-0000	5	13-016550/ RICHARD LEIKER	4910 FRANKLIN BLVD/ CEDCHC09240 (\$2,169)	D & B MEAT COMPANY
41	263-0121-010-0000	2	12-020377/ LARRY ECCLESTON	2701 GROVE AVE/ CEDCHB01885 (\$349)	MARGARITA RAMIREZ

42	266-0203-018-0000	2	12-018830/ DAVID SALINOVICH	1811 IRIS AVE/ CEDCHC09228 (\$119)	JOSE LUIS LOPEZ
43	007-0084-030-0000	4	14-001443/ RICHARD LEIKER	1931 L ST/ CEDCHB01955 (\$433)	CORDOVA 83 PROPS LLC
44	038-014-0124-0000	6	13-017469/ BO COSLEY	7606 LEMON HILL AV/ CEDCHB01929 (\$247)	JANAK MEHTANI
45	038-0071-035-0000	6	13-019300/ RICHARD LEIKER	7725 LEMON HILL AV/ CEDCHB01544 (\$1,448.60)	SETSUKO HASHIGAMI
46	252-0301-065-0000	2	12-028529/ DAVID SALINOVICH	1638 LOS ROBLES BLVD/ CEDCHB01940 (\$403)	PNC BANK NATIONAL ASSN.
Paid In Full					
47	237-0052-006-0000	2	13-021552/ DON MARCHESCHI	1140 MAIN AVE/ CEDCHC09250 (\$1,619)	FLAGSTAR BANK, FSB
48	265-0051-044-0000	2	14-000827/ JOSH PINO	3101 MARYSVILLE BLVD/ CEDCHB01887 (\$847)	TRANS ENTERPRISE INC
49	201-1010-002-0000	1	13-017214/ CHAD GARBER	3401 MAS AMILOS WY/ CEDCHB01930 (\$335.79)	FEDERAL NATL MTG ASSOCIATION
Paid In Full					
50	052-0074-003-0000	8	13-014375/ RICHARD LEIKER	2138 MEADOWGLEN AVE/ CEDCHC09298 (\$1,519)	LARRY NAVARRO & MARIO SALAS
51	119-0200-016-0000	8	13-023100/ CHAD GARBER	7631 MEADOWSTONE DR CEDCHB01893 (\$385)	RADEN LI
52	040-0181-013-0000	6	11-023112/ ANDY CHAVEZ	6920 MESA GRANDE CT/ CEDCHB01724 (\$259)	ANZAC LLC
53	252-0211-010-0000	2	13-014995/ DAVID SALINOVICH	1683 NOGALES ST/ CEDCHC09232 (\$1,619)	DEUTSCHE BK NATL TRUST
54	263-0183-005-0000	2	13-014298/ LARRY ECCLESTON	2563 NORWOOD AVE/ CEDCHB01920 (\$307)	BEVERLY ANN CRUIKSHANK
55	265-0173-010-0000	2	13-022084/ MAURICE SCHRANZ	2800 PERKTEL ST/ CEDCHB01947 (\$589)	FIFTY 5 LP, A CALIF LIMITED PARTNERSHIP
56	225-1170-012-0000	1	13-015432/ CHAD GARBER	3735 POPPY HILL WY/ CEDCHC09239 (\$1,619)	JOY R. ELLIS
57	263-0075-004-0000	2	13-017264/ DAVID SALINOVICH	218 REDONDO AVE/ CEDCHC09283 (\$1,619)	MICHAEL IYASERE
58	275-0031-009-0000	2	13-013319/ CHAD GARBER	495 REDWOOD AVE/ CEDCHC09287 (\$119)	FIFTY5 LP
59	251-0191-017-0000	2	06-020260/ LEONARD DUCLOS	3401 RIO LINDA BLVD/ CEDCHB01946 (\$43,175.80)	JAVED SIDDIQUI
60	020-0074-016-0000	5	12-020172/ JOHN VANELLA	3907 SAN CARLOS WY/ CEDCHB01935 (\$307)	HARRY S. WARREN REVOCABLE TRUST, HARRY S. WARREN, TRUSTEE
61	015-0171-013-0000	6	13-021300/ DOUG PIERSON	6711 SAN JOAQUIN ST/ CEDCHB01944 (\$994.60)	US BANK
62	015-0171-013-0000	6	13-021300/ DOUG PIERSON	6711 SAN JOAQUIN ST/ CEDCHC09291 (\$219)	US BANK
63	119-0323-013-0000	7	13-007470/ DOUG PIERSON	4505 SAN SEBASTIAN/ CEDCHB01895 (\$224.60)	IH3 PROP WEST LP
64	263-0222-008-0000	2	13-018072/ LARRY ECCLESTON	258 SANTIAGO AVE/ CEDCHB01928 (\$224.60)	WELLS FARGO BANK, N.A C/O JP MORGAN CHASE BANK, N,A
65	263-0222-008-0000	2	13-018072/ LARRY ECCLESTON	258 SANTIAGO AVE/ CEDCHB01956 (\$307)	WELLS FARGO BANK
66	263-0222-008-0000	2	13-018072/ LARRY ECCLESTON	258 SANTIAGO AVE/ CEDCHC09303 (\$219)	WELLS FARGO BANK

67	019-0024-001-0000	5	13-017390/ RICHARD LEIKER	2632 SUTTERVILLE RD/ CEDCHC09284 (\$1,619)	MAXUM INVS LP
68	265-0273-011-0000	2	13-018682/ LEONARD DUCLOS	2801 TAFT ST/ CEDCHC09293 (\$219)	JUNE HUGHES
69	250-0200-045-0000	2	08-011221/ LEONARD DUCLOS	3489 TAYLOR ST/ CEDCHB01843 (\$4,819)	GOOD SAMARITAN CHURCH OF JESUS CHRIST
70	047-0181-010-0000	8	13-002622/ JOHN VANELLA	7362 TILDEN WY/ CEDCHB01951 (\$385)	A. C. & ROSETTA R. TILLMAN
71	119-0980-014-0000	7	14-000812/ PAT MELANSON	8104 TORRENTE WY/ CEDCHB01886 (\$721)	BELL MORRIS
72	009-0112-011-0000	4	13-010383/ MAURICE SCHRANZ	330 U ST/ CEDCHB01882 (\$229)	DEAN H. MAR & JESSICA DOAN
73	031-0750-004-0000	7	13-017011/ DOUG PIERSON	7407 WINDBRIDGE DR/ CEDCHC09282 (\$1,619)	JACQUELYN A & KUUMBA T MILLS

Discussion Calendar

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

74. Review and Approve the 2014 HCAAB Meeting Calendar

Estimated Time: 5 Minutes

Location: Citywide

Recommendation: Approve the proposed 2014 HCAAB meeting calendar.

Contact: Ron O’Connor, Operations Manager, (916) 808-8183, Community Development

Action: Motion to approve the 2014 HCAAB meeting calendar, moved by McKinley, seconded by Powell; motion carried unanimously 3-0.

Public Comments – Matters Not on the Agenda

Ron O’Connor stated that the Personnel & Public Employees committee met several times regarding the appointment of members for the vacancies on the HCAAB. There were three applicants and Mr. O’Connor recommended the two applicants that reside within the City. Mr. O’Connor stated that the Mayor must now approve the recommendations. City staff explained that Mr. Fritz will continue to sit on the board until the new members have been appointed.

Member Comments – Ideas, Questions and Meeting/Conference Reports

Gaudreau asked about items heard in which the appellants did not appear. Gaudreau asked if there was a miscommunication of the hearing date. City staff explained that some appellants live outside the area and are not able to attend the hearings in person. Staff explained that appellants are advised that if they are unable to attend in person, that their written appeals are taken into consideration.

McKinley expressed concern regarding the City’s inconsistency on issuing Notice & Orders immediately in some cases while waiting on others. Gaudreau stated that while she understands procedures, that some violations that are in progress of repair should not be considered dangerous issues.

Mr. Leno stated the rental inspection program is a program designed to protect the rental property within the City of Sacramento. Mr. Leno stated that in the appeal heard this evening

that although it may seem petty that he had not painted the property, all he had to do was put a primer coat on, he did not have to paint the whole house. If this had been done, the city would have been content to move on. As long as it was protected and the City is doing our part to save the housing stock. Mr. Leno stated the rental program is designed to have landlords running a business within the City of Sacramento to be proactive and take care of their properties so that they do not get into a substandard situation where they do not take care of it. Mr. Leno stated the rental program is a 30 day program to make repairs and that most inspectors are very diligent on working with the landlord. Mr. Leno stated that if the landlord is making an effort, staff may try to push out the enforcement to get things taken care of. However, if the landlord indicates that they aren't going to do anything, then the property is referred to the housing inspector.

Adjournment

7:22pm