

BUILDING BOARD OF APPEALS

SPECIAL MEETING MINUTES

April 27, 2010, 3:00 p.m.

Council Chambers, 333 Civic Center Plaza

Web Site: www.ci.tracy.ca.us

1. Debra Corbett, Legal Counsel, called the meeting to order at 3:12 p.m.
2. Roll call found Board Members Alegre, Aubin, Corollo, Davis and Yerian present.
3. Items from the Audience – None
4. Introduction and Orientation Regarding the Role of the Building Board of Appeals – Ms. Corbett introduced herself and gave a brief overview of the agenda. Ms. Corbett stated the City Attorney's office is actively involved in an appeal of a ruling made by the City. Consequently, Ms. Corbett has been brought in to provide legal advice to the Board in the event the appeal does go to a hearing.

Ms. Corbett stated the first order of business was for the Board to elect a Chair and a Vice Chair. Following a brief discussion Member Aubin moved to appoint Board Member Alegre as Chair and Board Member Yerian as Vice Chair. The terms of office are for one year and will expire on April 27, 2010. Voice vote found all in favor; passed and so ordered.

Ms. Corbett stated since the Building Board of Appeals last met, the City Council has adopted standard bylaws for all City boards and commissions. The new bylaws would be on the agenda for adoption at the next meeting. Board Member Yerian asked if code books would be provided prior to the hearing. Ms. Corbett responded Board Members would be provided with information from both the appellant and the City. The information would reference certain portions of the code.

5. Overview of the Brown Act – Ms. Corbett provided a hand out and offered a presentation on the Brown Act, including an overview of the rules which would govern any potential hearing. Ms. Corbett also gave examples of other violations which Board Members could be required to deal with in the future.
6. Review and Discuss Hearing Procedures – Ms. Corbett stated she was working on putting together draft hearing procedures which would be mailed to the Board Members for review. The appeal was filed approximately one year ago; extensions have been filed, but if the hearing goes forward, it will take place sometime in June or July. Ms. Corbett asked if any of the Board Members had a potential conflict with Ed Morris of PSI, Brett Jolley of Herum Crabtree, PSI's attorney, or the City's consultant, Reinhard Hanselka. There was no potential conflict.
7. Schedule date for Adoption of Hearing Procedures – Following a brief discussion the Board agreed to meet on Tuesday, May 25, 2010, at 3 p.m. in Room 109 at City Hall, 333 Civic Center Plaza, Tracy. Ms. Corbett stated the proposed bylaws, together with copies of the draft hearing procedures would be mailed to Board Members for review prior to the next meeting.

8. ADJOURNMENT - It was moved by Chair Alegre and seconded by Board Member Aubin to adjourn. Voice vote found all in favor; passed, and so ordered. Time: 4:12 p.m.

The above agenda was posted at the Tracy City Hall on April 22, 2010. The above are summary minutes.

Kevin Jorgensen, Staff Liaison

Attest:

Secretary