

CITY OF CITRUS HEIGHTS

6237 Fountain Square Drive • Citrus Heights, CA 95621-5577 • (916) 725-2448
Fax (916) 725-5799 • TDD (916) 725-6185 • www.citrusheights.net

The City of Citrus Heights is committed to providing high quality, economical, responsive services to our community.

July 18, 2006

Honorable Roland L. Candee
Presiding Judge
Sacramento Superior Court
720 Ninth Street, Department 47
Sacramento, Ca 95814

Re: Grand Jury Report on Oversight of Contract Services – Citrus Heights

The Honorable Roland L. Candee:

The City of Citrus Heights has a distinguished record of providing quality services to its residents and business community. The Grand Jury Report referenced above calls into question the City's oversight of a demolition contract carried out in 2003. I appreciate the opportunity to respond to the Grand Jury Report and to set the record straight.

1. Grand Jury Observation: "No building inspector or NED (sic NEP) staff was (sic were) present while the work was in progress." *City response: James Lynch, Community Enhancement Manager, Sharlene Plescia, NEP Inspector and Nicole Piva, NEP Technician conducted an on site inspection during the demolition. City staff did not witness any improper actions by the contractor during the inspection. This inspection is documented in field notes and contemporaneous photos (attached). City Building Inspector Greg Anderson inspected the site upon completion of the job (see attached building inspection card). Mr. Anderson did not see any improper actions by the contractor.*
2. Grand Jury Observation: "The property changed ownership, and the new owner proceeded to build a house on the site". *City response: The "new owner" is actually the son of the owner. The son who had multiple contacts with City Code Enforcement staff revealed a material interest in the property. On the basis of that interest, City staff asked him to assist with the remediation of the property as the mother was not present and could not be found. He refused to assist with the property abatement. The City proceeded with an Administrative Hearing and then obtained a court abatement warrant for the demolition of the home. The son then*

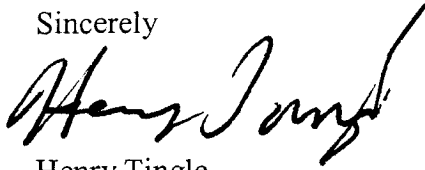
obtained the property after a court hearing and proceeded to build a new home on the site.

3. Grand Jury comment: "To recoup costs of the July 2005 clearing, the owner filed a claim against the City of Citrus Heights. The Citrus Heights Risk Management Division denied the claim, even though its investigation found that the vendor did not perform according to the contract, and that the debris was relevant to the former residence at the site. Once a claim is denied, there is no appeal process. A citizen's only recourse is to file a lawsuit against the City of Citrus Heights". *City response: The City's Risk Management Division did reject the claim after a review of the situation. The City did not conclude that the contractor had failed to perform or that the contractor was responsible for the debris later found on the site. Based on the City's contract with the contractor which indemnified the City, the City tendered the claim to the contractor's insurance company and advised the claimant of that fact. Generally, a citizen's recourse is to file a lawsuit against the City or any other party involved in the purported activity once a claim is denied. In addition, the claimant was informed of his right to file a claim against the contractor through the State Contractor Licensing Board.*
4. Grand Jury Observation: "No one from the City of Citrus Heights monitored the job in progress and there was no confirmation that all the debris had been removed from the site". *City response: As noted earlier three NEP staff inspected the site during demolition. A City Building Inspector inspected the job upon its completion. It is possible that the contractor buried debris but without complete and continuous monitoring, it would be impossible to have observed such activity. The City's monitoring system is designed to provide a "reasonable" but not an absolute level of supervision over the work done under a contract or permit. The City's job was to supervise the abatement of the nuisance not to take core samples or to perform other extraordinary actions to ensure the property was prepared for the construction of a new home.*

The Grand Jury Report correctly states that the following personnel were interviewed for the Grand Jury investigation: City Attorney, Community Development Director, Administrative Services Director, Chief Building Official, and Community Enhancement Manager. City staff cooperated fully with the Grand Jury and made clear the positions and facts enumerated above. The City is at a complete loss to explain the disconnect between the record and testimony submitted with respect to this investigation and the conclusions of the Grand Jury.

Enclosed you will find a certified copy of field notes and a sample of photos taken by City staff during their on – site inspection of the demolition. I have also enclosed the Building Division's permit record. These records clearly disprove the findings of the Grand Jury.

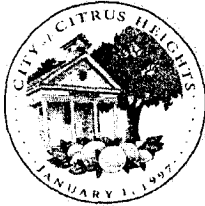
Sincerely

A handwritten signature in black ink, appearing to read "Henry Tingle", with a stylized flourish at the end.

Henry Tingle
City Manager

Cc: Mayor, City Council and Management Staff

Attachments: Certified field notes and photos taken by inspectors during demolition operations and a certified copy of Building Division permit record.



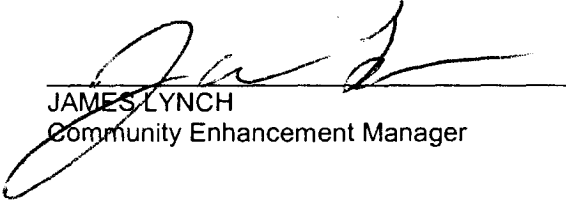
CITY OF CITRUS HEIGHTS

INDIVIDUAL ACKNOWLEDGEMENT

I hereby certify, under penalty of perjury, that this is a true and correct copy of the original document consisting of 1 page which is on file in this office.

CITY OF CITRUS HEIGHTS
NEIGHBORHOOD ENHANCEMENT PROGRAM

DATE: July 18, 2006


JAMES LYNCH
Community Enhancement Manager

NEP Service Request

Request# **7614** Request Date **04/14/1999** In Person ☐
 OldReq# **0** Request Time By Phone ☒
 Archive Box # Request Received By **YMY** By Letter ☐
 By eMail ☐

Requestor Information

First Name Last Name Company
 Day Phone: Eve Phone:

Property Owner

Owner Name **Anderson Edmund J & Betty J** Last Updated
 OwnerAddress **7405 Greenback Ln #179**
 City **Citrus Heights** State **CA** Zip **95610**
 Phone

Code Details

APN **243-0210-012-0000**
PN1 Street Number **7621** Street Name **Farmgate Way** Map Page **259-H5**

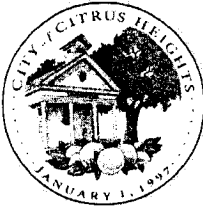
Descriptive Location
 Request Description **2nd hand info from a [REDACTED] @ [REDACTED], says Betty Anderson owns this house and has a history of abandoning properties. Says this is vac/open/accessible. 7/31/00 [REDACTED] called to report there is junk and rubbish all over the property.**

Request Action and Follow Up

Referral Date **4/14/1999** Dept Referred to **NEP** Division **Inspection** Area **South**
 Last Action Date **3/24/2003** Lot Book **8/8/2002** CON **10/15/2002** On Problem **6/28/2001**
 Next Action Date **3/25/2003** Posted COA **6/1/2005** Property List
 Drug Violation ☐ Drug Closed Date Problem Property Priority **9**
 PD Hearing Date
 PD Resolution

Inspection Information

Inspection ID	Inspection Date	Inspector	Inspection Notes	On Site	Drive By	Phone	NTA	Courtesy Letter	Fine
4833	4/21/2003	129	Fine assessed.	☐	☐	☐	☐	☐	\$6,200.00
4756	3/24/2003	165	JL, NP, LM and I visited site. Dozer operator said he hopes to complete job today but should for sure be completed by tomorrow. SP	☒	☐	☐	☐	☐	\$0.00
4750	3/21/2003	165		☐	☐	☐	☐	☐	\$0.00
7270	3/20/2003		House demolished this morning. Contractor is still clearing lot as of 11:39 a.m. this morning. Scheduled to complete by 6:00 p.m. today. SP	☐	☐	☐	☐	☐	\$0.00
4724	3/17/2003	165	I drove by the property today and saw Pac Bell truck, there. He advised he is there to mark their lines for PG&E. I called Yogi at Rent-A-Fence to pull down the fencing this week sometime and advised we will be demolishing the house and clearing the property as early as this week. SP	☐	☒	☐	☐	☐	\$0.00
7269	3/14/2003		Betty called again and asked how long she has to get her personal stuff out. I told her we would probably be demolishing the house and clearing the property next week as early as Monday possibly and she should get in there before Monday to get whatever personal belongings are left. SP	☐	☐	☒	☐	☐	\$0.00
/268	3/13/2003		Phone call from Betty Anderson, would not provide a call back #. Advised her son died and she has not been on property in two years. She said (it's my fault for ignoring this problem" and that she and her son had discussed demolishing the building "anyway". Wants time to go in and get her personal items (photos, etc). I advised demo may be next week and she should go in today or tomorrow (Thurs or Fri)	☐	☐	☒	☐	☐	\$0.00



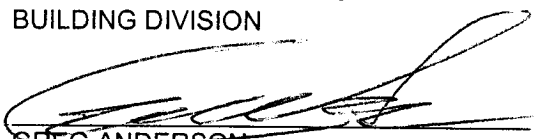
CITY OF CITRUS HEIGHTS

INDIVIDUAL ACKNOWLEDGEMENT

I hereby certify, under penalty of perjury, that this is a true and correct copy of the original document consisting of 6 pages which are on file in this office.

DATE: July 18, 2006

CITY OF CITRUS HEIGHTS
BUILDING DIVISION


GREG ANDERSON
SUPERVISING BUILDING INSPECTOR



BUILDING PERMIT

PERMIT NO. 230617

259 H5

DATE 3/19/2003

NUMBER 7621

STREET Farmgate Way

APN 243-0210-012-0000

APPLICANT DOUBLE B TRUCKING & DEMOLITION INC
 STREET ADDRESS 194 WILLOW CREEK DR
 CITY FOLSOM

PHONE (916) 983-0700

STATE CA

ZIP 95630

NAME OF OWNER Anderson Edmund J; Betty J

PHONE () -

CONTRACTOR DOUBLE B TRUCKING & DEMOLITION INC
 ADDRESS 194 WILLOW CREEK DR
 CITY FOLSOM

PHONE (916) 983-0700

STATE CA

ZIP 95630

ARCHITECT

ADDRESS:

CITY

LICENSE

ST

ZIP

ENGINEER

ADDRESS:

CITY

LICENSE

ST

ZIP

WORK DESCRIPTION: DEMO RESIDENTIAL HOME (NEP)

LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Number 637105 License Class C21 Expiration Date 6/30/07

Contractor's Name Bob Anderson

OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from Contractors' State License Law because:

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and structure is not intended or offered for sale (Sec. 7044, B & P Code: Contractors' License Law does not apply to an owner of property who builds or improves thereon, and who does the work himself or herself or through his or her own employees, provided that the improvements are not intended or offered for sale. If the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.)

☐ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, B & P Code: Contractors' License Law does not apply to an owner of property who builds or improves thereon, and who contracts with a contractor(s) licensed pursuant to Contractors' License Law.)

☐ I am exempt under Sec. _____, B & P Code for this reason: _____

Date _____ Owner's Signature _____

WORKERS' COMPENSATION DECLARATION

(This section need not be completed if the permit is for one hundred dollars (\$100) or less).

I hereby affirm (per Sec. 3700 of the Labor Code), under penalty of perjury, for the performance of the work for which this permit is issued, one of the following declarations:

☐ I have and will maintain a certificate of consent to self-insure for workers' compensation.

☐ I have and will maintain workers' comp insurance. My workers' comp insurance carrier/policy number are:

Carrier WEN DUNN INSURANCE SERVICES

Policy Number GS 20 3381

☐ I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date _____ Applicant's Signature Bob Anderson

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

CONSTRUCTION LENDING AGENCY

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

I _____'s Name _____

L _____'s Address _____

SIGNATURE

I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this City to enter upon the above mentioned property for inspection purposes.

Applicant/Agent Signature Bob Anderson

Date 3-21-03

VALUATION

\$6200.00

PERMIT FEES

BUILDING	\$130.05
ELECTRICAL	\$0.00
PLUMBING	\$0.00
MECHANICAL	\$0.00

TOTAL PERMIT COST	\$130.05
BALANCE DUE FOR ISSUANCE	\$130.05

NOTE: THIS PERMIT DOES NOT INCLUDE ANY CONSTRUCTION WITHIN THE PUBLIC RIGHT OF WAY. ANY CONSTRUCTION IN THIS AREA REQUIRES A SEPARATE PUBLIC WORKS PERMIT AND BOND.

PERMIT SHALL EXPIRE AND BECOME NULL AND VOID IF WORK IS NOT BEGUN WITHIN 180 DAYS OF ISSUE DATE OR IF WORK IS STOPPED FOR A PERIOD OF 180 DAYS.

HW

PERMIT ISSUED BY

DATE APPROVED _____

3/19/2003

DATE ISSUED _____

Work requiring a permit shall not commence until the permit holder or agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the building official to conveniently make the required entries thereon regarding inspections of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

TO RECEIVE NEXT BUSINESS DAY INSPECTION YOUR REQUEST MUST BE
RECEIVED DURING A BUSINESS DAY NO LATER THAN 4:00 PM

REQUEST LINE (916) 727-4750

	INSP.	DATE
FOUNDATION		
RGH. GRADING / COMPACTION		
SETBACKS / FOOTINGS		
FORMS / STEEL / HOLDOWNS / UFFER		
PRE-SLAB (MEMBRANE / REINF.)		
MASONRY REINFORCEMENT		
BUILDING		
UNDERFLOOR (JOIST / GIRDERS)		
RGH. FRAME (AFTER B.P.M. & E.)		
SHEAR / BRACING		
EXTERIOR SIDING OR LATH		
STUCCO (SCRATCH / BROWN)		
FIRE STOPPING / BLOCKING		
ROOF (FRAME / SKIP SHEATHING)		
ROOF (SHEATHING NAIL)		
TRUSSES (FLOOR / ROOF)		
INSULATION (CERT. FROM INSTALLER)		
DRYWALL		
T-BAR (AFTER ELECT. / PLUMB. / MECH.)		
HANDICAP (ACCESS / EQUIP. / PARKING)		
STAIRS / GUARDRAIL / HANDRAIL		
ELECTRICAL		
ROUGH GROUND WORK		
ROUGH (CONDUIT / BOX FILL / PROT.)		
GROUNDING / BONDING/UFFER		
METER / TEMP. / PERM.		
SMOKE DETECTORS		
GFCI (KIT. / BATH / GARAGE / OUTSIDE)		
PANEL LABELING		
REQUIRED CIRCUITS/BREAKERS		
PANEL CHANGE OUT (SUB / MAIN)		
MECHANICAL		
UNDERFLOOR DUCTING		
ROUGH:		
A) HVAC DUCT WORK		
B) VENTING		
C) DAMPERS / FIRE		
D) COMBUSTION AIR		
HVAC (SUPPORT / VENTS / ANCHORAGE)		
A/C CONDENSER		
WOODSTOVE (HEARTH / CLEARANCE)		
PLUMBING		
UNDERFLOOR / UNDER SLAB		
A) DRAIN, WASTE, AND VENT		
B) WATER PIPING		
C) GAS PIPING		
GAS PIPING (UNDER GROUND)		
GAS PIPING (AIR PRESSURE TEST)		
WATER SERVICE (UNDERGROUND)		
SEWER (PIPE / TEST/TAP)		
ROUGH WATER & D.W.V. TEST & PROT.)		
SHOWER PAN / TUB TEST		
W. HEATER / EXP. TANK / BRACING		
BACKFLOW PREVENTION		
GAS METER TAG		
POOLS AND SPAS		
ELECTRICAL (ROUGH / GROUND WORK)		
ELECTRICAL (BONDING / GFCI PROT.)		
PRE-GUNITE / STEEL / SETBACKS		
PIPING AND DRAINAGE		
PRE-PLASTER / BARRIER / ALARMS		
SAFETY GLAZING		
POOL LIGHT		

FINAL INSPECTIONS

BUILDING/T-24 FINAL		
ELECTRICAL FINAL		
MECHANICAL FINAL		
PLUMBING FINAL		
SIGN FINAL		
LANDSCAPE FINAL		
GRADING FINAL		
PLANNING DEPARTMENT		
ENGINEERING DEPARTMENT		
FIRE DEPARTMENT		
TEMP. OCCUPANCY (W / ALL DEPT. APP)		
PROJECT FINAL		

[Signature] 3.25.03

259-H5 CITRUS HEIGHTS BUILDING & SAFETY DIVISION INSPECTION REQUEST- 727-4750

Permit# 230617 Date Received: 3.24 Inspection Date 3.25 AM/PM

Address: 7621 Farmgate Requested By: Bobby Phone# ?

BUILDING	PLUMBING	MECHANICAL	ELECTRICAL	MISC.
☐ Rough Frame	☐ Rgh/wtr/D.W.V.	☐ Rough Mech.	☐ Rough Elec.	☐ Complaint
☐ Fgts/Forms/Found	☐ Ground Plumbing	☐ Underfloor	☐ Underground	☐ Pre-Inspection
☐ Walls/Mas/Con	☐ Water Service	☐ Fireplace/Insert	☐ Temp. Power	☐ Sign
☐ Slab	☐ Sewer Test	☐ Ducting	☐ Ground/Bonding/Uffer	☐ Pool/Spa
☐ Underfloor	☐ Gas Test	☐ HVAC	☐ Sub Panel	☐ Pre-Gunite/Plaster
☐ Siding/Shear/ Stucco	☐ Gas Meter Tag	☐ Final	☐ Service Change	☐ Mobile Home
☐ Drywall Nail/Screw	☐ Water heater		☐ Meter Tag	☐ Project Final
☐ Pre-Roof	☐ Final		☐ Final	
☐ Roof Nail Truss/Frame				
☒ Final				

Demo

Arrival Time: Departure Time:

BSD#002

APPROVAL DATE: 6/12/00

APPROVED BY: 

A:\BSD#002.doc



BUILDING PERMIT

BUILDING PERMIT APPLICATION

SITE ADDRESS 7621 FARMGATE WAY DATE 3/19/2003 :Y Application: 230617
 NO PERMITS UNTIL OK BY JANET
 PERMIT ISSUED 3/19/2003 PERMIT NO PERMIT FINALED

NUMBER 7621 STREET Farmgate Way UNIT APN : 243-0210-012-0000

OWNER: Anderson Edmund J;Betty J PHONE: () -
 NUMBER: 7621 STREET: Farmgate Way ALT. PHONE: () -
 CITY: Citrus Heights STATE: CA ZIP: 95610
 OWNER or AUTHORIZED AGENT OF THE OWNER : Contractor
 APPLICANT: DOUBLE B TRUCKING & DEMOLITION INC PHONE: (916)983-0700
 STREET NO: 194 ST NAME: WILLOW CREEK DR ALT. PHONE: (916)983-0700
 CITY: FOLSOM STATE: CA ZIP: 95630

WORK DESCRIPTION: R : DEMO RESIDENTIAL HOME (NEP) MAP AREA 259 H5
 RESI. COMM OCC GROUP NO UNITS
 WORK TYPE: Demo Building CONST TYPE: SQ/FT

LICENSE: 637105 CLASS: B CONTRACTOR: DOUBLE B TRUCKING & DEMOLITION INC
 STREET NO: 194 ST NAME: WILLOW CREEK DR PHONE: (916)983-0700
 CITY: FOLSOM STATE: CA ZIP: 95630
 LICENSE EXP-CONT.: 6/30/2004 CITY LICENSE: CITY LICENSE EXPIRED

LICENSE: EXP.DATE ARCHITECT:
 STREET NO: ST NAME: PHONE: () -
 CITY: STATE: ZIP:

LICENSE: EXP.DATE ENGINEER:
 STREET NO: ST NAME: PHONE: () -
 CITY: STATE: ZIP:

IS PROJECT PROPERTY IN DESIGN DISTRICT ? YES NO
 IS PROJECT PROPERTY ON HISTORICAL LIST ? YES NO
 HAVE YOU APPLIED FOR PLANNING PERMITS ? YES NO
 HAS YOUR APPLICATION BEEN APPROVED BY THE PLANNING COMMISSION YES NO

	EXISTING	ADDITIONS	TOTALS
LOT AREA	:	:	:
FLOOR AREA LIVING	:	:	:
GARAGE AREA	:	:	:
AREA COVERED PATIO/DECK	:	:	:
TOTAL AREA	:	:	:
SLOPE % :	PERMITTED STRUCTURE :	:	:

NUMBER OF UNITS	:	:	:
HEIGHT	:	:	:
FRONT SETBACK	:	:	:
REAR SETBACK	:	:	:
LEFT SETBACK	:	:	:
RIGHT SETBACK	:	:	:
NO OF PARKING SPACES	:	:	:
NO OF LOADING SPACES	:	:	:



BUILDING PERMIT

Department	D E P A R T M E N T A L		N O T I F I C A T I O N		Status
	Date Sent	Date Returned	Date Sent	Date Returned	
Planning	:	:	:	:	:
Pub.Ser.	:	:	:	:	:
Parks	:	:	:	:	:
Health	:	:	:	:	:
Fire	:	:	:	:	:
Other	:	:	:	:	:

B U I L D I N G		D E P A R T M E N T		R E V I E W	
First Due		Second Due		Third Due	
First Applicant		Revisions		Applicant	
Review Notified		Received		Notified	
:	:	:	:	:	:

Project Status

Date approved:

N O T E S

Total Plan Review:

1st Rev. Bldg
2nd Rev. Bldg
3rd Rev. Bldg
BldgDept Memo

1st Rev. Plan
2nd Rev. Plan
anDept Memo

1st Rev. P.S.
2nd Rev. P.S.
PubServ. Memo

1st Rev. Fire
2nd Rev. Fire
FireDept Memo

Others

BUILDING STANDARDS NEW STRUCTURES DATA

MAIN STRUCTURE	SQFT	VALUE
ACCESSARY STR.	SQFT	VALUE
		TOTAL

BUILDING PERMIT		Value of 97-99 imported records			
Value	Permit Y/N Y	PlanRev Y/N	P:	Zone Ck Y/N	P:
Y \$6200.00	\$128.05				
MicroFilm	Seismic	BusLic Y/N		Investigation	
N \$2.00					
Improvement Cost	Grading	Review		Grading Inspection	

ELECTRICAL PERMIT		Service No		SubPan No	
Permit	TempPower No	Amp		SignCir No	
Y Recp&S/W No	Fixtures No	PowerApp No			
N		HP			
Supp Y/N	Misc. Fees	PlanRev Y/N			



BUILDING PERMIT

BUILDING PERMIT

Permit Y/N	WT.Heater	BldgSewer	Fixture
Y			
GasSys	Intcept	WaterPiping	Supp Y/N
N			
Sprinkler	BackFlow	Misc.Fees	PlanRev Y/N
			\$

MECHANICAL PERMIT

Permit Y/N	Furnace	VentFan	ExhaustHood
Y			
EvapCooler	FuelPipe	DuctPiping	Air/Hand
N			cfm
AbsorpSys	Boiler	Misc. Fees	PlanRev Y/N
Btu	Hp		\$0
Roadway	Transit	Administration	Drainage
EngPvtDev	Grading	LowIncome	
ParkImpact		TreePreservation	

BUILDING \$130.05 PLANNING \$0.00	ELECTRIC \$0.00 ENGINEERING \$0.00	PLUMBING \$0.00 MISC. \$0.00	MECHANICAL \$0.00 IMPACT \$0.00	FEES PAID \$0.00 FEES DUE \$130.05 TOTAL FEES \$130.05 : HW
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P/Syesno