Monterey County Assessment Appeals Board
Action Minutes
Thursday, February 18, 2010

The Monterey County Assessment Appeals Board met at 9:00 a.m. in the Board of Supervisors Chambers, 168 W. Alisal Street, Salinas, California.

1. **Roll Call**
   Present: Russ Jeffries – Chair; Chris Daniel – Vice Chair; Glen Alder – Board Member; Wendy Strimling – County Counsel; Steve Cagle – Assistant Assessor, Valuation; Paola L. Muñoz – Board Clerk

2. **Public Comment Period:** None

3. **Other Board Matters:**

      **BOARD ACTION:** Upon motion of Glen Alder, seconded by Chris Daniel, the Board approved the minutes of January 7, 2010.

   b. Approve additional Assessment Appeals Board hearing dates and adopt new hearing schedule.

      Board discussed additional hearing dates.

      **BOARD ACTION:** Upon motion of Chris Daniel, seconded by Glen Alder, the Board approved the additional hearing dates and adopted the revised schedule.

4. **Consent Calendar – Stipulations:**

   **BOARD ACTION:** Upon motion of Chris Daniel, seconded by Glen Alder, the Board accepted the following stipulations:

   09-097  Stage Aviation / APN 820-000-586
   09-333  Jose Luis Hernandez / APN 002-012-002
   09-334  Jose Luis Hernandez / APN 002-012-003
   09-335  Jose Luis Hernandez / APN 002-311-009
   09-356  ExpressJet / APN 800-033-936
   09-372  Gratias Group / APN 009-041-011
   09-380  Richard Humphreys / APN 010-276-005
   09-384  George Silva / APN 103-051-021
   09-410  Neil Shapiro / APN 007-162-005
   09-412  Larry Blevins / APN 030-185-009
   09-457  John Hopper et al / APN 007-563-018
   09-527  Award Homes Inc. / APN 022-441-019
5. **Consent Calendar – Withdrawals:**

**BOARD ACTION:** Upon motion of Chris Daniel, seconded by Glen Alder, the Board **accepted** the following withdrawals:

- 09-154 James Mansfield / APN 007-603-004
- 09-193 Joseph Dominguez / APN 024-301-077
- 09-194 Rosalva Hernandez / APN 024-301-084
- 09-375 Charles Van Linge / APN 008-332-016
- 09-403 Marie Callenders / APN 991-200-249
- 09-409 Robert Lewis / APN 008-331-017
- 09-434 Travelodge, LLC / APN 001-683-012
- 09-436 Marie Callenders / APN 990-200-249
- 09-439 Dieter Back / APN 006-265-008
- 09-451 Eric Davis / APN 199-021-005
- 09-500 FPA Northridge Associates LP / APN 253-061-031
- 09-513 Asit Pruthi / APN 173-072-025
- 09-525 Marie Callenders / APN 261-145-019
- 09-526 Denny’s Inc. / APN 001-682-010
- 09-642 Cemex, Inc. / APN 203-011-019
- 09-654 Hideko Graves / APN 006-134-009
- 09-660 Patrick Welton / APN 008-162-008
- 09-739 Louis Frizzell / APN 203-062-004
- 09-783 Robert Banuelos / APN 020-323-030
- 09-800 Isabel Rodriguez / APN 020-342-028
- 09-801 Miguel & Juli Ibarra / APN 412-101-018
- 09-805 Douglas Eckley / APN 127-341-062
- 09-806 Thomas Fischer / APN 117-191-035
- 09-808 Arvind Panchal / APN 031-231-018
- 09-812 Cindy Billman / APN 002-132-008
- 09-852 Kevin Olson / APN 133-023-005
- 09-1122 David Wasick / APN 007-161-029

6. **Continued from January 7, 2010 – pending stipulations**

**WTCC Ventana Investors V LLC**

- 07-362 APN / 419-321-002
- 07-363 APN / 419-321-009
Steve Cagle – Assessor requests continuance to March 4, 2010 pending receipt of signed stipulations and withdrawals.

BOARD ACTION: upon motion of Glen Alder, seconded by Chris Daniel, the Board continued to March 4, 2010.

7. **Continued Hearing from December 17, 2009**

   08-015  Michael Tate / APN 032-011-040

Sean Flavin, Allan Best and Michael Tate were sworn in on behalf of the applicant.

Steve Cagle and Larry Downing, Appraiser II, were sworn in on behalf of the Assessor’s Office.

Counsel Strimling – the hearing left off in the middle of the Assessor’s presentation.

Steve Cagle – the assessor requests to present information in a non-public session, not a closed session but rather non-public.

Counsel Strimling – advised AAB as to the rules for closing the hearing to the public and as to tax payer waiver of confidentiality.

BOARD ACTION: upon motion of Chris Daniel, seconded by Glen Alder, the Board denied the Assessor’s request to close the meeting and did not accept the waiver submitted for reasons stated by Counsel pursuant to Rule 313(g)(2).

The following exhibits were submitted by the applicant and marked for identification:
Exhibit 6: Class 3 Multi Residential sheet
Exhibit 7: Ross Roofing, Inc. – Standard Bid Form dated 7-21-03

The following exhibits were submitted by the Assessor’s Office and marked for identification:
Exhibit D: Letter to Clerk from Assessor dated 2-18-10
Both parties concluded their presentations, questions and rebuttals.

**Board took matter under submission**

8. **Continued from December 17, 2009**

08-016 Michael Tate / APN 032-013-013

Due to time constrains Chair Jeffries suggested the meeting be continued to a date agreeable to both parties.

After some discussions, both parties agreed to set a special hearing on March 12, 2010 and continue the matter to March 12, 2010.

Counsel Strimling – if the matter is continued, it would be at the benefit of the Board to request a waiver of the two year limit and get an extension from the applicant.

For the record, Mr. Flavin agreed to 120 day extension beginning May 28, 2010 and waived the 2 year time limit through 120 days after May 28, 2010.

**BOARD ACTION:** Upon motion of Chris Daniel, seconded by Glen Alder, the Board set a special hearing and continued to March 12, 2010.

9. **Continued from January 7, 2010**

08-716 Jesus Sanchez / APN 129-231-004

Steve Cagle – Assessor requests continuance to March 4, 2010 pending receipt of signed stipulation.

**BOARD ACTION:** Upon motion of Chris Daniel, seconded by Glen Alder, the Board continued to March 4, 2010.

10. **Continued from January 7, 2010 – pending stipulation**

09-108 William Bosworth / APN 830-001-418

Steve Cagle – Assessor requests continuance to March 4, 2010 pending receipt of signed stipulation.

**BOARD ACTION:** Upon motion of Chris Daniel, seconded by Glen Alder, the Board continued to March 4, 2010.

11. **NOTE:** Item 11 – 13 were heard and acted on concurrently
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<th>Continued from January 7, 2010 – pending stipulation / withdrawal</th>
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<td>09-336</td>
<td>Jose Luis Hernandez / APN 004-133-005</td>
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Steve Cagle – Assessor requests continuance to March 4, 2010 pending receipt of signed stipulations and withdrawals.

BOARD ACTION: Upon motion of Chris Daniel, seconded by Glen Alder, the Board **continued item 11 – 13 to March 4, 2010**.

| 12. | Continued from January 7, 2010 – pending stipulation / withdrawal |
|     | Jose Luis Hernandez / APN 002-582-046 |

**Item heard and acted on with item 11**

| 13. | Continued from January 7, 2010 – pending stipulation / withdrawal |
|     | Jose Luis Hernandez / APN 003-381-032 |

**Item heard and acted on with item 11**

| 14. | **NOTE:** Item 14 – 15 were heard and acted on concurrently |
| 09-397 | Northridge Fashion Center LLC / APN 253-201-058 |

Steve Cagle – Assessor requests continuance to March 4, 2010 pending receipt of signed stipulation.

BOARD ACTION: upon motion of Glen Alder, seconded by Chris Daniel, the Board **continued items 14 – 15 to March 4, 2010**.

| 15. | 09-398 | Northridge Fashion Center LLC / APN 253-201-055 |

**Item heard and acted on with item 15**

| 16. | Continued from January 7, 2010 – pending stipulation |
| 09-400 | Kelly Coulter / APN 031-241-001 |

Steve Cagle – Assessor requests continuance to March 4, 2010 pending receipt of signed stipulation.

BOARD ACTION: upon motion of Glen Alder, seconded by Chris Daniel, the Board **continued to March 4, 2010**.

| 17. | Continued from January 7, 2010 – pending withdrawal |
| 09-401 | John Thompson / APN 153-283-023 |
Steve Cagle – applicant has indicated he will withdrawal his appeal. Assessor requests continuance to March 4, 2010 pending receipt of signed withdrawal.

**BOARD ACTION:** Upon motion of Chris Daniel, seconded by Glen Alder, the Board continued to March 4, 2010.

**18.** 09-407  **Continued from January 7, 2010 – pending stipulation**  
Shahram Kheyltash / APN 032-411-032

Steve Cagle – Assessor requests continuance to March 4, 2010 pending receipt of signed stipulation.

**BOARD ACTION:** upon motion of Glen Alder, seconded by Chris Daniel, the Board continued to March 4, 2010.

**19.** 09-411  **Continued from January 7, 2010 – pending withdrawal**  
John & Cynthia McDonald / APN 424-405-001

Steve Cagle – applicants have indicated they will withdrawal their appeal. Assessor requests continuance to March 4, 2010 pending receipt of signed withdrawal.

**BOARD ACTION:** upon motion of Glen Alder, seconded by Chris Daniel, the Board continued to March 4, 2010.

**20.** 09-414  **Continued from January 7, 2010 – pending stipulation**  
Betty Bass / APN 157-081-016

Steve Cagle – Assessor requests continuance to March 4, 2010 pending receipt of signed stipulation.

**BOARD ACTION:** upon motion of Chris Daniel, seconded by Glen Alder, the Board continued to March 4, 2010.

**21.** 09-590  First American Title / APN 109-223-059

Steve Cagle – Assessor requests continuance to March 4, 2010.

**BOARD ACTION:** upon motion of Chris Daniel, seconded by Glen Alder, the Board continued to March 4, 2010.

**22.** 09-652  **Applicant Requests Continuance to a later date**  
Michael Miller / APN 241-052-004

**BOARD ACTION:** Upon motion of Glen Alder, seconded by Chris Daniel, the Board continued to March 4, 2010.
23. **Assessor Requests Continuance to April 1, 2010**
   
   09-653 BAE Enterprises LLC / APN 007-231-001

   BOARD ACTION: upon motion of Chris Daniel, seconded by Glen Alder, the Board continued to April 1, 2010

24. **Board Reconvened in Open Session to Read Out Decisions of Closed Session:**

   Chair Jeffries – there are no determinations to report.

25. **Adjourned meeting at 4:26 pm to Thursday, March 4, 2010**