

# City of Fresno

*City Hall, Council Chambers  
2600 Fresno Street*



## Meeting Minutes - Draft

Tuesday, April 7, 2026

1:00 PM

Regular Meeting

City Hall Council Chambers  
2600 Fresno Street

## **Building Standards Appeals Board**

*Chair Imelda Golik*

*Vice Chair Scott Vincent*

*Board Member Daniel Field*

*Board Member Scott Mears*

*Board Member Gaylord Ransom*

**THE BUILDING STANDARDS APPEALS BOARD WELCOMES YOU TO COUNCIL CHAMBERS, LOCATED AT CITY HALL, 2600 FRESNO STREET, FRESNO, CALIFORNIA 93721.**

**PUBLIC PARTICIPATION – Any interested person may appear at the public hearing and present written testimony or speak in favor or against the matters scheduled on the agenda. Public participation during Building Standards Appeals Board meetings is always encouraged and can occur by attending a meeting in the Council Chambers, City Hall, 2nd Floor, 2600 Fresno Street, Fresno, CA 93721. You may approach the speaker podium upon the Chair’s call for public comment. Please state your name and the scheduled item about which you wish to comment.**

**All public speakers will have up to 3 minutes to address the Board pursuant to Rule No. 13 of the Building Standards Appeals Board Bylaws (available in the City Clerk’s Office).**

**SUBMIT DOCUMENTS / WRITTEN COMMENTS –**

- 1. E-mail – Agenda related documents and comments can be e-mailed to the Planning & Development Department. Unless otherwise required by law to be accepted by the City at or prior to a Board meeting or hearing, no documents shall be accepted for Board review unless they are submitted to the Planning and Development Department at least 24 hours prior to the commencement of the Board meeting at which the associated agenda item is to be heard. All comments received at least 24 hours prior will be distributed to the Building Standards Appeals Board prior and during the meeting and will be a part of the official record, pursuant to Article 4 (3).**
  - a. Email comments to [Building.Appeals@fresno.gov](mailto:Building.Appeals@fresno.gov).**
  - b. Emails should include the agenda date and item number you wish to speak on in the subject line of your email. Include your name and address for the record, at the top of the body of your email.**

**VIEWING BOARD MEETINGS (non-participatory) – For your convenience, there are ways to view Building Standards Appeals Board meetings live:**

- 1. Community Media Access Collaborative website: <https://cmac.tv/>**
- 2. Cable Television: Comcast Channel 96 and AT&T Channel 99**
- 3. Participate Remotely via Zoom:  
[https://fresno.zoomgov.com/webinar/register/WN\\_z\\_mWC3uyQTS-hdu-C946fg](https://fresno.zoomgov.com/webinar/register/WN_z_mWC3uyQTS-hdu-C946fg)**

- a. The above link will allow you to register in advance for remote participation in the meeting via the Zoom platform. After registering, you will receive a confirmation email containing additional details about joining the meeting.**

**Should any of these viewing methods listed above experience technical difficulties, the Board meeting will continue uninterrupted. Board meetings will only be paused to address verifiable technical difficulties for all users participating via Zoom or in the Chambers.**

**The City of Fresno's goal is to comply with the Americans with Disabilities Act (ADA). Anyone requiring reasonable ADA accommodations, including sign language interpreters, or other reasonable accommodations such as language translation, should contact the office of the City Clerk at (559) 621-7650 or [clerk@fresno.gov](mailto:clerk@fresno.gov). To help ensure availability of these services, you are advised to make your request a minimum of 48 hours prior to the scheduled meeting.**

## I. ROLL CALL

*Chair Golik called the meeting to order at 1:00 p.m.*

*Also present were Ashley Atkinson, Janel Showers, Kari Camino, Jayda Symonds, Veronica Cortez, Cassandra Valdez, Daniel Casas (CAO), Christina Roberson (CAO), Sarah Papazian (CAO), Trevor Fechner (Code Enforcement), and Brad Morgan (Code Enforcement).*

**Present:** 5 - Chair Imelda Golik  
Vice Chair Scott Vincent  
Board Member Daniel Field  
Board Member Scott Mears  
Board Member Rick Ransom

## III. AGENDA APPROVAL

*1:01 p.m.*

*Assistant Director Atkinson reported no changes to the agenda.*

**On motion of Board Member Ransom, seconded by Vice Chair Vincent, the AGENDA was APPROVED. The motion carried by the following vote:**

**Aye:** 5 - Golik, Vincent, Field, Mears and Ransom

## IV. CONSENT CALENDAR

*1:03 p.m.*

**On motion of Vice Chair Vincent, seconded by Board Member Field, the CONSENT CALENDAR was APPROVED by the following vote:**

**Aye:** 5 - Golik, Vincent, Field, Mears and Ransom

**IV-A** [ID 26-416](#) Approval of the February 3, 2026 Building Standards Appeals Board Regular Meeting Minutes

**Sponsors:** Planning and Development Department

IV-B [ID 26-263](#) Approval of the February 17, 2026 Building Standards Appeals Board Regular Meeting Minutes

**Sponsors:** Planning and Development Department

## **V. REPORTS BY BOARD MEMBERS**

*1:04 p.m.*

*None*

## **VI. PUBLIC COMMENT**

*1:04 p.m.*

*None*

## **VII. CONTINUED MATTERS**

*1:04 p.m.*

*None*

## **VIII. NEW MATTERS**

VIII-A [ID 26-430](#) Hearing to determine whether good cause exists to accept the late Appeal filing for 1347 E Shields Avenue

**Sponsors:** Planning and Development Department

1:04 p.m.

*Marichele Porter (Appellant) explained that she lives in Fresno and works in San Francisco as a registered nurse. She stated that her appeal was filed late due to circumstances beyond her control. The original notice was mailed to an incorrect address and had to be rerouted, causing a delay. When the corrected notice finally arrived, she was in San Francisco for work. She also traveled for business in early January and did not return to Fresno until January 28, 2026. She submitted the appeal as soon as she returned, but it fell outside the 15-day filing window. She requested that the Board find good cause to accept the late appeal so her case could be heard.*

*Vice Chair Vincent asked for clarification on whether the Board was being asked to rule only on the late filing of the appeal or also on the underlying violations listed in the agenda. The Assistant City Attorney, confirmed that this agenda item was solely to determine whether good cause existed to accept the late appeal for 1347 East Shields Avenue.*

*After closing public comment, the Board discussed the request. Members agreed that the appellant had provided valid justification for the late filing, including the notice being sent to the wrong address and her work-related travel as a registered nurse. Board members expressed no objections to granting the extension.*

*The appellant was advised to continue working with City staff to clarify the issues raised in her appeal and to help prevent further citations.*

**On motion of Board Member Field, seconded by Vice Chair Vincent, that the above Action Item be APPROVED. The motion carried by the following vote:**

**Aye:** 5 - Golik, Vincent, Field, Mears and Ransom

VIII-B [ID 26-422](#)

Actions pertaining to Fresno Code Enforcement case number E23-01585, concerning 4816 E. Fillmore Ave., and the First Administrative Citation issued on December 17, 2025:

1. HEARING on the Appeal of the First Administrative Citation.
  
2. Take one of the following actions:
  - i. CONFIRM the First Administrative Citation issued December 17, 2025, and ORDER Appellant to repair the confirmed violations within thirty days; OR
  
  - ii. CONFIRM certain violations but DISMISS other violations in the First Administrative Citation issued December 17, 2025, and ORDER Appellant to repair the confirmed violations within thirty days; OR
  
  - iii. DISMISS the First Administrative Citation issued December 17, 2025.

**Sponsors:** City Attorney's Office

1:10 p.m.

*Senior Deputy City Attorney Papazian presented on the first administrative citation issued to 4816 East Fillmore, which stemmed from a Notice and Order issued on August 29, 2025 identifying five violations, including multiple HVAC replacements performed without permits on three separate buildings and two abandoned permits related to carport and HVAC work. Papazian explained that despite extensions granted through early December, reinspections showed no corrective action other than one incomplete permit application, and all violations remained uncorrected. Papazian concluded that the City met its burden under the preponderance-of-evidence standard and recommended that the Board confirm the citation in its entirety.*

*Attorney Michael Titus, representing the property owners, argued that the administrative citation should be dismissed or continued because the owners had been actively working to correct the violations but faced delays beyond their control. He stated that required HERS inspections could only be performed by third-party contractors whose scheduling was slowed by*

*additional information requested by the City, and that similar delays occurred with the carport electrical work, where the City initially required plans for removal before later determining they were unnecessary. Titus emphasized that the owners applied for the remaining carport permits, communicated consistently with the inspector, and believed that ongoing progress would prevent a citation. He also raised concerns about inspections conducted without the consent required under Fresno Municipal Code Section 1-303, noting that earlier unlawful inspections had already resulted in a prior citation being dismissed. He concluded by requesting dismissal of the citation or additional time for the owners to complete the necessary work.*

*Board member Ransom asked whether inspectors must obtain permission before entering a property. Assistant City Attorney Roberson responded that the City and the appellant's counsel interpret the consent requirements differently, noting that building inspectors typically have consent because they are invited for scheduled inspections, while code enforcement inspections follow a different section of the municipal code, and that consent is required to enter individual units because tenants have legal possession, but common areas, such as walkways or areas accessible to mail carriers or delivery drivers, do not require consent. She added that the consent issue was not central in this case because the cited violations were visible from the public right-of-way.*

*Board member Mears asked whether any permits had been obtained for the HVAC installations. Staff clarified that only one HVAC permit had been pulled in 2023, and it applied solely to Unit 102. No other HVAC permits existed for the remaining units or buildings until very recently, when new permit applications were submitted at the end of March.*

*Board members expressed concern that the property owners had long been aware of permit requirements-evidenced by a single permit pulled in 2023-and that the recent submission of multiple permits appeared to be a last-minute effort rather than consistent progress. Members noted that HERS inspections are typically scheduled within a short timeframe and that carport plans should not require extended delays. They also agreed that the*

*consent issue was irrelevant because the HVAC units were clearly visible from the public right-of-way. Board members emphasized that the violations involved straightforward mechanical change-outs requiring permits and that the prolonged lack of compliance raised significant concerns. Following discussion, the Board moved to confirm the administrative citation in full.*

**On motion of Board Member Field, seconded by Vice Chair Vincent, that the above Action Item be APPROVED. The motion carried by the following vote:**

**Aye:** 5 - Golik, Vincent, Field, Mears and Ransom

VIII-C [ID 26-431](#) WORKSHOP - Burden of Proof and Preponderance of Evidence

**Sponsors:** Planning and Development Department

1:43 p.m.

*Assistant City Attorney Casas presented a workshop to provide the Board with clearer guidance on the preponderance of the evidence standard and the Board's responsibilities when deciding appeals. He explained that preponderance is the lowest legal burden of proof, requiring only that a fact be more likely true than not. Casas contrasted this with the higher standards of clear and convincing evidence and beyond a reasonable doubt, noting that those standards do not apply to matters before this Board.*

*Casas emphasized that the City carries the burden of proof in administrative appeals because it issues the order or citation. The City must persuade the Board—by more than a 50% likelihood—that the violation occurred and remains uncorrected. Using illustrations of balanced and tipped scales, he explained that if the evidence is evenly balanced, the party with the burden has not met it; even a slight tipping of the scale is sufficient to satisfy the preponderance standard.*

*He also reviewed the Board's legal obligations under the Fresno Municipal Code, explaining that the Board must apply the code as written and does not have discretion to waive or reinterpret code requirements. If the code requires compliance with A, B, and C, the Board cannot choose to enforce only A and B.*

*During questions from the Board, Casas clarified the role of consent and Fourth Amendment protections in inspections. He explained that consent is required to enter private areas such as individual units or locked, non-public spaces. However, no consent is required when conditions are visible from a public right-of-way or other areas open to the public. He noted that in the case discussed earlier in the meeting, the inspector viewed the HVAC units from a public easement, observed that they appeared newly installed, and then checked permit records—an approach that does not violate constitutional protections.*

*Board member Mears asked whether an expired permit grants the City authority to inspect previously permitted work. Casas reiterated that the legality of the inspection depends on how the information was obtained. In this instance, because the inspector observed the equipment from a public vantage point and did not enter restricted areas, the inspection was lawful regardless of the permit's status.*

*Casas concluded by reaffirming that in all appeals before the Board, the City must meet the preponderance of the evidence standard, and the Board must base its decisions solely on the evidence presented and the requirements of the Fresno Municipal Code.*

### **IX. REPORT BY SECRETARY**

*2:04 p.m.*

*Assistant Director Ashley Atkinson provided a brief report on behalf of Secretary Frampton. She informed the Board that the April 21st meeting will be canceled, as no items are currently scheduled. An official cancellation notice will be issued. She had no further updates to report.*

### **X. SCHEDULED ORAL COMMUNICATIONS**

*2:04 p.m.*

*None*

### **XI. UNSCHEDULED ORAL COMMUNICATIONS**

*2:05 p.m.*

*None*

### **XII. ADJOURNMENT**

*Chair Golik adjourned the meeting at 2:06 p.m.*