

City of Santa Rosa
Administrative Hearings
100 Santa Rosa Avenue
Santa Rosa, CA 95404

File # CE22-0404

ADMINISTRATIVE ENFORCEMENT ORDER

Property Address: 668 Elsa Drive, Santa Rosa, CA 95407

Responsible Party: Marcelina. L. Call and Ian J. Call

APN: 044-280-061-000 **Zoning:** PD 88-001

Administrative Hearing Officer's Decision:

A Noticed Hearing was held for this matter on April 8, 2026 commencing at approximately 1:00 p.m., in the Santa Rosa City Council Chambers, before the undersigned ("Hearing Officer"). Jehovanna Contreras of the City of Santa Rosa Planning & Economic Development Department, called the Administrative Hearing Calendar to order, and read a statement to all attending as to the purpose and procedures to be followed during the Hearing. After the statement made by Ms. Contreras, the Hearing Officer commenced the Hearing on this matter. Appearing on behalf of the City of Santa Rosa ("City") was Code Enforcement Technician Michael Wilroy ("Mr. Wilroy"). Also appearing on behalf of City was attorney Adam Abel of the City Attorney's Office and Daniela DeBaca who made a record of the Hearing. Also attending in person were Marcelina L. Call and Ian J. Call (together referred to herein as "Responsible Party"), the owners of the improved real property located at 668 Elsa Drive, Santa Rosa, CA 95407 ("the property").

The Hearing concerned allegations by City of six (6) alleged violations of the City Code at the property. City Code Sections discussed below will be styled "Section" followed by the specific number.

Prior to the Hearing, the Hearing Officer was provided with Mr. Wilroy's ADMINISTRATIVE HEARING STAFF REPORT and supporting attachments ("Report"), consisting of 65 pages, plus index and Certificate of Service. The Hearing Officer reviewed the Report in its entirety before the Hearing, and carefully reviewed all photos of the property therein. The Report was received in evidence. During the Hearing, Mr. Wilroy submitted

additional photos of the property taken on the morning of the Hearing. These additional photos were received in evidence.

When the Hearing was commenced, Mr. Wilroy, and Responsible Party were administered oaths by the Hearing Officer so that all testimony given during the Hearing was under penalty of perjury. Mr. Wilroy then gave his testimony summarizing the chronology of City's Code Enforcement issues with the property dating back to May, 2022. The Hearing Officer asked a few clarifying questions, and Responsible Party was given the opportunity to ask questions of Mr. Wilroy. Responsible Party then gave their responsive testimony, including their recent activity at the property to deal with the alleged Violations described in the Report. The Hearing on this matter was concluded at approximately 1:25 p.m.

Considering all of the oral and documentary evidence received before and during the Hearing, the Hearing Officer makes the following findings:

- A. City has complied with all notice requirements for the Hearing.
- B. The Administrative Notice and Order issued by City on March 10, 2026, and served by City on March 11, 2026 is upheld with modifications discussed below.
- C. By a preponderance of the evidence, when this matter was set for Hearing, Marcelina L. Call and Ian J. Call—the Responsible Party herein—were in violation of Sections of the City Code itemized in the Administrative Notice and Order, as follows:

Violation #1: Section 18-20.302.8: Dump trailer stored in driveway.

Violation #2: Section 20-30.110(D)(2): Setback requirements violated.

Violation #3: Section 9-12.070(A)(4): Failure to be enrolled in a trash collection contract for the property.

Violation #4: Section 18-20.302.5: Permitting a rodent harborage throughout exterior of the property.

Violation #5: Section 18-20.302.4: Overgrown vegetation throughout property.

Violation #6: Section 9-12.130: Accumulation of trash rubbish and debris throughout the property.

By the clear terms of the Administrative Notice and Order, the above Violations were to be abated *and inspected* by March 29, 2026. Per the testimony of Responsible Party, the Dump trailer was removed from the property on March 29, 2026. Also, the Responsible Party finally enrolled the property in a trash collection service about a week before the Hearing. By the morning of the Hearing, improvement was made at the property in removing debris and excess vegetation, and the rodent harborage. The photos taken on the morning of the Hearing show the

same white van parked in the driveway and extending onto the sidewalk along the front of the property. City had received complaints about the property dating back to May 23, 2022, and a Notice of Violation was served on June 27, 2023. City also issued Administrative Citations on April 8, 2025, May 14, 2025, February 3, 2026, and recorded a Notice of Noncompliance issued by City on March 5, 2026. While the recent activities of the Responsible Party to abate Violations are commendable, it was necessary for City to bring this matter to Hearing before significant improvements were made. Per the testimony of Responsible Party, they have had issues with caring for their son, which impacted their ability to properly care for the property.

D. Good cause exists for an Order requiring Responsible Party to abate all Violations immediately, and to refrain from future Violations of the City Code.

Responsible Party **IS HEREBY ORDERED** to abate Violation #2 above by removing the white van from the driveway and set back areas within fourteen (14) days of the date this Order becomes final—which is the date this Order is mailed to Mr. Wilroy. Responsible Party **IS FURTHER ORDERED** to continue maintaining the exterior of the property free from the illegal storage of vehicles, trailers and other items on the driveway or the set back areas along the front of the property. Responsible Party shall continue to keep the property free of excess debris, trash and vegetation, and any maintenance failures that would create a rodent harborage. Responsible Party shall not create new Violations of the City Code at the property.

E. The Hearing Officer assesses Penalties and Administrative Costs to Responsible Party as detailed below. The Hearing Officer has discretion to assess penalties *up to* \$ 500.00 per day for each Violation upheld.

1. As for alleged Violation #1, the evidence is that Responsible Party complied with the abatement deadline of March 29, 2026, by removing the dump trailer from the property on March 29, 2026. No penalty will be assessed.

2.. As for Violation #2, the evidence shows that the white van remains in the driveway as of the morning of the Hearing, and encroaching onto the sidewalk along the front of the property.

This Violation results in a penalty of \$100.00 per day x 10 days = \$ 1,000.00

3. As for alleged Violation #3, the evidence shows that Responsible Party enrolled in trash collection services for the property as of April 1, and the Hearing Officer finds that no penalty should be assessed to Responsible Party for this late abatement.

4. As for alleged Violation #4, the evidence shows an improvement of conditions at the property, so that the rodent harborage existing when this matter was set for Hearing is probably now abated. No penalty is assessed as a result.

5. As for alleged Violation #5, the evidence shows an improvement at the property. which took place sometime near March 29, 2026, so the Hearing Officer finds that no penalty will be assessed to Responsible Party for the abated conditions.

6. As for alleged Violation #6, the evidence shows an abatement of the Violation, although the removal of the accumulated trash rubbish and debris took place after this matter was set for Hearing. No penalty will be assessed as a result.

Total penalty assessed to Responsible Party is: **\$ 1,000.00**

The Hearing Officer assesses Administrative Costs to Responsible Party as follows:

Attached hereto is a copy of the ADMINISTRATIVE COSTS CALCULATION SHEET received in evidence, which itemizes the Administrative Costs incurred by City prior to the Hearing. Those pre-hearing costs total \$ 1,151.23. Because of the appearance of Mr. Wilroy at the Hearing, until it was adjourned at approximately 1:25 p.m., the Administrative Costs are increased by the sum of \$ 75.62 (one hour for preparing for the Hearing and attending same). Total City Administrative Costs assessed to Responsible Party are: **\$ 1,226.85**

Per Section 1-30.030, the services of the Hearing Officer are an Administrative Cost. The Hearing Officer's time included: reading the Report; careful review of all photos of the property; legal research applicable City Codes; preparing for the Hearing; travel to and from City Council Chambers (divided by two cases); conducting Hearing; review of all oral and documentary evidence received; preparing this Administrative Enforcement Order, and a Proof of Service By Mail; and service of this Order by U.S. Mail on Responsible Party and Mr. Wilroy. The total additional Administrative Costs assessed herein to Responsible Party for the services of the Hearing Officer are: **\$ 1,920.67**

Total Penalty Assessed to Responsible Party: \$ 1,000.00

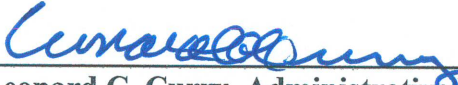
Total Administrative Costs Assessed to Responsible Party: \$ 3,147.52

F. The Hearing Officer will serve signed copies of this Order on Responsible Party and Mr. Wilroy by U.S. Mail. When the Order is so mailed to Mr. Wilroy, the Order shall be final.

G. This Order shall serve as notice to Responsible Party that if the above Penalty and Administrative Costs assessed are not received by City within thirty (30) days of the date of this Order, City may seek to enforce it through judicial review. The penalty for late payment of the assessed Penalty and Administrative Costs is 7% per annum, pro-rated daily from the payment due date. The above assessed Penalty and Administrative Costs may become the subject of a special assessment against the property if payment is not received within thirty (30) days of the date this Order becomes final. Should any unabated Violation of the City Code continue, Responsible Party may be subject to additional penalties authorized by law.

H. Per Section 1-30.120 of the City Code, any person contesting this Administrative Enforcement Order may seek review by filing an appeal with the Sonoma County Superior Court within twenty (20) days of this Order.

Dated: April 22, 2026 BY ORDER OF


Leonard C. Curry, Administrative Hearing Officer

City of Santa Rosa
 Administrative Hearings
 100 Santa Rosa Avenue
 Santa Rosa, California 95404

File # CE22-0404

ADMINISTRATIVE COSTS CALCULATION SHEET

Appendix No. 7-E

- 1a. Responsible Party: Call, Marcelina & Call, Ian J.
 1b. Address: 668 Elsa Dr.
 Santa Rosa, CA 95407
2. Location of Violation in the City of Santa Rosa: 668 Elsa Dr.
3. Assessor Parcel Number: 044-280-061 Zoning District: PD 88-001
4. Date of Administrative Hearing: April 8, 2026
5. Administrative Costs, see description beginning with item 5a, below:
- | | |
|--|-------------------|
| a. Letters, meetings, hearing preparation 2 hr(s). @ \$75.62/hr. = | \$151.24 |
| b. 7 site visit(s) 7 hr(s). @ \$75.62/hr. = | \$529.34 |
| c. Senior Administrative Assistant – 1 hr(s). @ \$65.24/hr. = | \$65.24 |
| d. Senior Code Enforcement Officer – 2 hr(s). @ \$116.19/hr. = | \$232.38 |
| e. Assistant City Attorney – 1 hr(s). @ \$173.03/hr. = | \$173.03 |
| Total Administrative Costs: | \$1,151.23 |
6. Administrative Hearing Time for Code Enforcement Officers 1 hr(s). @ \$75.62/hr. = \$ 75.62 (to be added by Hearing Officer after hearing)

Date: March 10, 2026

BY ORDER OF: 

Name: Michael Wilroy
 Title: Code Enforcement Technician
 Telephone: 707-543-3237

1
2 **PROOF OF SERVICE BY MAIL**
3

4 I am self employed in the County of Sonoma, State of California. I am over eighteen years of
5 age and not a party to the within action. I am the Administrative Hearing Officer on this matter.
6 My business address is 115 West First Street, Cloverdale, California 95425.

7 On April 22, 2026, I served the attached **ADMINISTRATIVE ENFORCEMENT ORDER**
8 on the interested parties in this proceeding, by placing true copies of the documents in a sealed
9 envelope, and mailing same with the United States Postal Service at Healdsburg, California, that
10 same day addressed as follows:
11

- 12 1. Michael Wilroy
13 City of Santa Rosa Code Enforcement Technician
14 100 Santa Rosa Avenue, Room 3
15 *SANTA ROSA, CA. 95404*
16
17 2. Marcelina L. Call and Ian J. Call
18 668 Elsa Drive
19 Santa Rosa, CA 95407
20
21
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23 I declare under penalty of perjury under the laws of the State of California that the foregoing
24 is true and correct and that this declaration was executed on April 22, 2026, at Healdsburg,
25 California.
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Leonard C. Curry