

GARDEN GROVE  
ADMINISTRATIVE BOARD OF APPEALS (ABOA)  
Community Meeting Center  
11300 Stanford Avenue, Garden Grove, CA 92840

Special Meeting Minutes  
Thursday, August 14, 2024

CALL TO ORDER: 6:00 p.m.

ROLL CALL:

Member Knight  
Member Ladd  
Member Nguyen  
Member Tackney

Absent: Ladd. Member Ladd joined the meeting at 6:07 p.m.

STAFF PRESENT: Omar Sandoval, City Attorney; David Dent, Chief Building Official/Executive Secretary to the Board; Sam Kim, Public Works Deputy Director; Jon Ruis, Public Works Foreman; Tina Ngo, Revenue Manager; Judith Moore, Recording Secretary.

PLEDGE OF ALLEGIANCE: Led by Vice Chair Tackney.

ORAL COMMUNICATIONS – PUBLIC – None.

RECEIVE AND FILE MINUTES – March 27, 2024

Action: Received and filed.  
Motion: Tackney Second: Nguyen  
Ayes: (3) Knight, Nguyen, Tackney  
Noes: (0) None  
Absent: (1) Ladd

HEARING C.1. – WATER BILLING APPEAL FOR 10731 MAST AVENUE

Appellant: STEVE LE  
Date: August 14, 2024

Request: Appellant requested that the Administrative Board of Appeals approve his water billing appeal, filed on May 7, 2024, for property located at 10731 Mast Avenue.

The Administrative Board of Appeals of the City of Garden Grove hereby

made the following findings of fact:

1. The City was formally informed of a high water bill from Tammy Le, on behalf of Steve Le on November 27, 2023 regarding a higher than normal water use after receiving a seven day bill for the period of November 8, 2023 to November 15, 2023, in the amount of \$1,773.74 for the use of 401 units (approximately 57 units per day).
2. On November 27, 2023, the City investigated the water meter as the cause of increased water billing.
3. On December 5, 2023, existing water meter was replaced with a new water meter and old meter passed a third party's accuracy test.
4. On May 8, 2024, the maximum water flow rate was field tested. Field test results measured 75 PSI and 37.5 GPM, while Appellant used an assumed 40 PSI with 29 GPM to perform their calculation of maximum water flow.
5. The Appellant did not provide evidence that they or their employees or a third-party professional conducted an investigation or evaluation showing the nonexistence of water leaks on the water facilities on Appellant's property or evidence that its tenants did not increase their water consumption.
6. The Deputy Public Works Director correctly denied the Appellant's request to adjust and reduce its water bill.

The Hearing was opened. The Appellant provided handouts that included a copy of the City's bill showing increased water usage, a copy of a \$380 water-line inspection invoice from CPI verifying no leaks, and that all water-lines were in good condition, and two letters from the Appellant to the City indicating that the water-usage increase was the result of a faulty water-meter, stating the meter numbers were likely stuck due to the 15-year old age of the meter.

Staff noted that once the water-meter was replaced and it was determined that the meter-in-question was not at fault through passing third-party testing, the burden of proof then rests with the property owner. Board Members sympathized with the Appellant, however, with no written testimonies from the Appellant's tenants, or further investigation on the Appellant's part from third-party water-meter testing, the Board Members stated they must rely on the evidence to make a decision. The City's evidence included the field-tested water flow rate and the original meter passing third-party testing. The hearing was closed.

Action: Resolution No. 004-2024 was approved to deny the Appeal.

Motion: Tackney Second: Nguyen

Ayes: (4) Knight, Ladd, Nguyen, Tackney

Noes: (0) None

MATTERS FROM BOARD: None.

MATTERS FROM STAFF: None.

ADJOURNMENT: At 6:50 p.m.

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Judith Moore  
Recording Secretary