

City Council Meeting Minutes



June 23, 2026

6:00 PM

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Amendment No. 1 - 6/18/26

1. CALL TO ORDER

Mayor Bublak called the meeting to order at 6:00 PM.

2. SALUTE TO THE FLAG

3. ROLL CALL AND DECLARATION OF CONFLICTS

Present: Councilmembers Cassandra Abram, Kevin Bixel, Erika Phillips, Vice Mayor Rebecka Monez and Mayor Amy Bublak

Absent: None

Councilmember Abram	Councilmember Bixel	Vice Mayor Monez	Councilmember Phillips	Mayor Bublak
None	None	None	None	None

4. APPROVAL OF AGENDA AS POSTED OR AMENDED

Action: Motion: Approval of Agenda as Posted, motioned by Vice Mayor Monez, seconded by Councilmember Abram and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Vice Mayor Monez	Councilmember Phillips	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

5. PROCLAMATIONS, RECOGNITIONS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS

- A. Presentation: Turlock Partnership Incentive Program Check Presentation: Wicked UTV (Economic Development)

Economic Development Director Sims presented the Turlock Partnership Incentive Program check to owners of Wicked UTV.

- B. Certificates of Recognition Presented to the Virtual Turlock Student Project Team

Mayor Bublak presented the Certificates of Recognition to students Ashnil Singh, Jose Ochoa Prado and Christian Reategui.

- C. Proclamation: July as Parks and Recreation Month

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Assistant Municipal Services Director Packwood presented the proclamation of July as Parks and Recreation month.

D. Presentation: Golden State Boulevard (Roads Program)

Roads Program Manager Pezehk and Mark Thomas Consultant Ed Norega presented the item.

E. Presentation: Short-Range Transit Plan Community Engagement (Transit)

Transit Manager York presented the item.

6. **PUBLIC PARTICIPATION**

Mayor Bublak opened public comment at 6:28 PM and the following members of the public spoke:

Karina Mendoza
Terri Shaver
Abigail Pendleton
Sophie Weisman
Shawn Sheridan
John Gabelon
Mary Jackson

With no further comments, Mayor Bublak closed public comment at 6:45 PM.

7. **CITY MANAGER REPORTS/UPDATES**

Interim City Manager Fisher provided a comprehensive update on activities of the Stanislaus Regional Water Authority, reported on two American Rescue Plan Act–funded projects preparing to go out to bid, and concluded with an update on grant funding opportunities through the Stanislaus Council of Governments.

8. **CONSENT CALENDAR**

Mayor Bublak opened public comment at 6:49 PM and the following members of the public spoke:

Mary Jackson

With no further comments, Mayor Bublak closed public comment at 6:49 PM.

Action: Motion: by Vice Mayor Monez, seconded by Councilmember Abram to adopt the Consent Calendar and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Vice Mayor Monez	Councilmember Phillips	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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- A. Accepting the Minutes of the June 9, 2026 Special City Council Meeting and the June 9, 2026 Regular City Council Meeting

Action: Approved Motion: Accepting the Minutes of the June 9, 2026 Special City Council Meeting and the June 9, 2026 Regular City Council Meeting

- B. Accepting the Weekly Demands of May 22, 2026 Through May 28, 2026 in the Amount of \$3,463,446.66, May 29, 2026 Through June 4, 2026 in the Amount of \$1,879,797.19, Accounts Payable EFT February 1, 2026 Through February 28, 2026 in the Amount of \$609,531.38 and Payroll EFT February 1, 2026 Through February 28, 2026 in the Amount of \$2,373,988.16.

Action: Approved Motion: Accepting the Weekly Demands of May 22, 2026 Through May 28, 2026 in the Amount of \$3,463,446.66, May 29, 2026 Through June 4, 2026 in the Amount of \$1,879,797.19, Accounts Payable EFT February 1, 2026 Through February 28, 2026 in the Amount of \$609,531.38 and Payroll EFT February 1, 2026 Through February 28, 2026 in the Amount of \$2,373,988.16.

- C. Accepting the Investment and Cash Report for the Month of May 2026 in the Amount of \$320,303,767.56.

Action: Approved Motion: Accepting the Investment and Cash Report for the Month of May 2026 in the Amount of \$320,303,767.56.

- D. Accepting Improvements for City Project No. 24-042 "Senior Center Roof & HVAC Replacement" and Authorizing the City Engineer to File a Notice of Completion (Engineering)

Action: Approved Motion: Accepting improvements for City Project No. 24-042 "Senior Center Roof & HVAC Replacement" and authorizing the City Engineer to file a Notice of Completion.

- E. Accepting Improvements for City Project No. 24-036 "Renovations at Senior Center and Marty Yerby Recreational Facility" and Authorizing the City Engineer to File a Notice of Completion (Engineering)

Action: Approved Motion: Accepting improvements for City Project No. 24-036 "Renovations at Senior Center and Marty Yerby Recreational Facility" and authorizing the City Engineer to file a Notice of Completion.

- F. Accepting Improvements for City Project No. 23-040 "Water Line Replacement for 2024 Roads Program Construction" and Authorizing the City Engineer to File a Notice of Completion (Engineering)

Action: Approved Motion: Accepting Improvements for City Project No. 23-040 "Water Line Replacement for 2024 Roads Program Construction" and Authorizing the City Engineer to File a Notice of Completion

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- G. Awarding Bid and Approving an Agreement with Ace-High Engineering for City Project No. 25-068 "In-Plant Drain Repair" in the Amount of \$50,733.00 (Engineering)

Action: Approved Motion: Awarding bid and approving an Agreement with Ace-High Engineering, of Brentwood, California in the amount of \$50,733.00 and authorizing a construction contingency amount of \$10,200.00 (20.0%) for the construction of City Project No. 25-068 "In-Plant Drain Repair" to be funded by Fund 410 "Water Quality Control".

Action: Approved Resolution No. 2026-081: Determining the award of bid for the construction of City Project No. 25-068 "In-Plant Drain Repair" is exempt from the provisions of CEQA in accordance with Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines.

- H. Awarding Bid and Approving an Agreement with Ornamental Solutions Inc. for City Project No. 25-048 "Security Fence Improvements at the Public Safety Facility" (Engineering)

Action: Approved Motion: Awarding bid and approving an Agreement with Ornamental Solutions Inc., of Rancho Cordova, California in the amount of \$265,900.00 and authorizing a construction contingency amount of \$26,590.00 (10.0%) for the construction of City Project No. 25-048 "Security Fence Improvements at the Public Safety Facility" to be funded by Fund 119 "American Rescue Plan Act (ARPA)".

Action: Approved Resolution No. 2026-082: Determining the award of bid for the construction of City Project No. 25-048 "Security Fence Improvements at the Public Safety Facility" is exempt from the provisions of CEQA in accordance with Section 15301 (Existing Facilities) of the CEQA Guidelines.

- I. Approving an Agreement with Websoft Developers, Inc. for a Computerized Maintenance Management System (CMMS) and a Mobile Work Order Management Software System (WQC)

Action: Approved Motion: Approving an Agreement (City Contract No. 2026-185), in a form approved by the City Attorney, with Websoft Developers for Computerized Maintenance Management System (CMMS) and a Mobile Work Order Management Software for a period of five (5) years, with a total not to exceed amount of \$390,822.42, without compliance to the formal bid procedure, pursuant to Turlock Municipal Code Section 2-7-08(b)(6), Information Technology Software.

- J. Awarding RFB No. 06-2026 and Approving Contract No. 2027-009 with Kemira Water Solutions, Inc. for the Supply and Delivery of Ferric Chloride (WQC)

Action: Approved Motion: Awarding RFB No. 06-2026 and approving Contract No. 2027-009 with Kemira Water Solutions, Inc. for the supply and delivery of Ferric Chloride for a period of one (1) year, in a total not to exceed amount of \$150,000 to be expensed from Fund 410 "Water Quality Control" and Fund 420 "Water"

- K. Awarding RFB No. 11-2026 and Approving Contract No. 2027-013 with Univar Solutions USA LLC for the Supply and Delivery of Sodium Bisulfite (WQC)

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Action: Approved Motion: Awarding RFB No. 11-2026 and approving Contract No. 2027-013 with Univar Solutions USA LLC for the supply and delivery of Sodium Bisulfite for a period of one (1) year, in a total not to exceed amount of \$200,000 to be expensed from Fund 410 "Water Quality Control"

- L. Awarding RFP No. 2026-RFP-016 and Approving Contract No. 2026-159, in a form approved by the City Attorney, with Microbac Laboratories, Inc. for Laboratory Analysis Services for a period of five (5) years, in a Total not to Exceed Amount of \$1,800,000 (WQC)

Action: Approved Motion: Awarding bid No. 2026-RFP-016 and approving Contract No. 2026-159 with Microbac Laboratories, Inc. for Laboratory Analysis Services for a period of five (5) years, in a total not to exceed amount of \$1,800,000 to be expensed from Fund 410 "Water Quality Control" account 410-51-530.43311 "Analysis Water Waste", Fund 420 "Water" account 420-52-550.43513 "Water Well Analysis", Fund 420 "Water" account 420-52-550.43504 "PCE Monitoring & Remediation", Fund 416 "Recycled Water Sales" account 416-51-530.43311 "Analysis Water Waste" (WQC)

- M. Awarding RFB No. 13-2026 and Approving Contract No. 27-14 with Univar Solutions USA LLC for the Supply and Delivery of Sodium Hypochlorite (WQC)(SRWA)

Action: Approved Motion: Awarding RFB No. 13-2026 and approving Contract No. 2027-014 with Univar Solutions USA LLC for the supply and delivery of Sodium Hypochlorite for a period of one (1) year, in a total not to exceed amount of \$3,500,000 to be expensed from Fund 410 "Water Quality Control", Fund 420 "Water", and Fund 450 "SRWA Operations."

- N. Approving an Agreement with Zenith Billboards, LLC for Transit Advertising Program Management for a Term of Five (5) years (Transit)

Action: Approved Motion: Approving an agreement with Zenith Billboards, LLC, of Stockton, California, to sell and maintain advertising on the exteriors of Turlock Transit buses and within bus shelters as defined in RFP No. 25-023, and remit a portion of the sales revenue as defined by the Compensation Proposal of the Consultant's proposal, and authorizing the City Manager to execute all documents required to implement the proposed action.

- O. Approving an Agreement Between Motorola Solutions and the City of Turlock for Maintenance of the Radio System (Police)

Action: Approved Motion: Approving an agreement between Motorola Solutions and the City of Turlock, in a form approved by the City Attorney, in an amount not to exceed \$790,735 for contracted maintenance of the radio system for the period of July 1, 2026 through June 30, 2030, where funding is budgeted in the respective departments funds and approving sole source procurement of radio system equipment from Motorola contingent on the availability of budgeted funds, without compliance to the formal bid procedures in accordance with Turlock Municipal Code Section 2-7-8(b)(2).

- P. Approving an Agreement with Jocelyn E. Roland, PH.D., to Provide Counseling/Psychotherapy Services and Pre-Employment Psychological Evaluations for the Turlock Police Department (Police)

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Action: Approved Motion: Approving an Agreement between the City of Turlock and Jocelyn E. Roland, PH.D., to provide counseling/psychotherapy services to all sworn officers, dispatchers, and community service officers at no cost to the covered employee and to provide pre-employment psychological evaluations for the Turlock Police Department for the period of July 1, 2026, through June 30, 2031.

- Q. Approving Amendment No. 3 to an Agreement Between the City of Turlock and Axon Enterprises, Inc., for an Added AI Technology Appendix (Police)

Action: Approved Motion: Approving Amendment No. 3 to an Agreement between the City of Turlock and Axon Enterprises, Inc., for an added AI Technology Appendix.

- R. Approving Amendment No. 3 to an Agreement Between the City of Turlock and Clark Pest Control of Stockton, Inc. for Pest and Weed Control Services, to Increase the Annual Compensation Amount to \$106,690 (Purchasing)

Action: Approved Motion: Approving Amendment No. 3 to an Agreement between the City of Turlock and Clark Pest Control of Stockton, Inc. for pest and weed control services, to increase the annual compensation amount to \$106,690 to City accounts 410-51-532.43125_016 "Maintenance Weed Spraying", 217-50-510.43125_016 "Maintenance Weed Spraying" and 110-30-300.43125_016 "Maintenance Weed Spraying"

- S. Appointment of Measure A Local Transactions (Sales) and Use Tax Citizen's Oversight Committee Member (City Clerk)

Action: Approved Motion: Appoint Lazar Piro to the Measure A Citizens Oversight Committee for a term ending July 1, 2029.

- T. Approve UKG Workforce Management Subscription Services and HRchitect Implementation Agreement for Citywide Timekeeping, Scheduling, and Attendance Improvements (Human Relations)

Action: Approved Motion: Authorize the City Manager to execute UKG TeleStaff Quote No. Q-412114 and UKG Ready Quote No. Q-423471, expensed to Fund 110 (General), for an initial term of three years, with automatic twelve-month renewal terms thereafter.

Action: Approved Motion: Approve an agreement with HRchitect, Inc. for UKG implementation services in the amount of \$110,400, expensed to Fund 110 (General)

- U. Approving the Adoption of a Memorandum of Understanding Between the City of Turlock and Turlock Associated Police Officers (TAPO) Covering the Period August 1, 2024 Through July 30, 2027 (Human Relations)

Action: Approved Resolution No. 2026-083: Approving and updating the memorandum of understanding ("MOU") between the City of Turlock ("City") and the Turlock Associated Police Officers ("TAPO") covering the period of July 1, 2024, through June 30, 2027, incorporating the tentative agreement dated July 17, 2024, and existing side letter agreements, and approving agreed upon terms and conditions following reopener negotiations.

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- V. Approving the Salary Range of Water Resources Analyst II and Amending the Turlock City Employees Association (TCEA) Salary Schedule Effective July 1, 2026 (Human Relations)

Action: Approved Resolution 2026-084: Approving the salary range of Water Resources Analyst II, Turlock City Employees Association (TCEA), range 30.3 and amending the TCEA Salary Schedule effective July 1, 2026.

9. **FINAL READINGS**

None

10. **PUBLIC HEARINGS**

- A. Appeal of the Planning Commission's April 2, 2026 Determination Upholding the Administrative Decision Regarding the Application for Building Permit #25-1123 (Development Services)

Development Services Director Werner presented the item.

Mayor Bublak opened the Public Hearing at 7:13 PM and invited Appellant Sheridan to speak to the item. Mr. Sheridan submitted document "Additional Addendum to Chapter 1-4 Notice of Appeal filed on April 10, 2026" to City Clerk Fiez and concluded his oral argument at 7:23 PM.

Mayor Bublak opened public comment at 7:24 PM and the following members of the public spoke:

Armando Garcia

With no further comments, Mayor Bublak closed public comment at 7:27 PM.

Mayor Bublak invited Appellant Sheridan to speak to the item once more at 7:27 PM who then concluded his final oral argument at 7:32 PM.

Motioned by Vice Mayor Monez, seconded by Councilmember Phillips and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Vice Mayor Monez	Councilmember Phillips	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Action: Approved Resolution No. 2026-085: Denying the appeal of the April 2, 2026, planning commission decision and upholding the planning commission determination that the administrative decision declaring building permit no. 25-1123, for the property at 290 n. Thor street, Stanislaus county APN 061-024-058 valid and that the building permit was properly issued.

11. **ACTION ITEMS**

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- A. Approval of Memorandum of Understanding (MOU) Between the City of Turlock and California State University, Stanislaus for the Virtual Turlock Project (Economic Development)

Economic Development Director Sims presented the item in collaboration with students Ashnil Singh, Jose Ochoa Prado & Christian Reategui.

Mayor Bublak opened public comment at 7:52 PM and the following members of the public spoke:

Milt Triewailer

With no further comments, Mayor Bublak closed public comment at 7:57 PM.

Motioned by Vice Mayor Monez, seconded by Councilmember Abram and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Vice Mayor Monez	Councilmember Phillips	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Action: Approved Resolution No. 2026-086: Approval of Memorandum of Understanding (MOU) Between the City of Turlock and California State University, Stanislaus for the Virtual Turlock Project

- B. Appointing John J. Murphy to the Position of City Manager for the City of Turlock and Approving the Related Employment Agreement (Human Relations)

Human Relations Director Dhami presented the item.

Mayor Bublak opened public comment at 8:03 PM and the following members of the public spoke:

Milt Triewailer
Scott Siegel
Bob Puffer
Ron Bridegroom
No name provided
Mary Jackson

With no further comments, Mayor Bublak closed public comment at 8:17 PM.

Motioned by Vice Mayor Monez, seconded by Councilmember Phillips and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Vice Mayor Monez	Councilmember Phillips	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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Action: Approved Resolution No. 2026-087: Appointing John J. Murphy to the Position of City Manager for the City of Turlock and Approving the Related Employment Agreement

12. COUNCILMEMBER COMMENTS, ANNOUNCEMENTS AND FUTURE ITEMS

Councilmember Abram, Councilmember Bixel, and Vice Mayor Monez extended well-wishes to the community for a safe and enjoyable Fourth of July holiday.

Councilmember Phillips congratulated Mayor Bublak on her performance at the 2026 United States Police & Fire Championships held in San Diego.

Mayor Bublak highlighted the Mobile Home Rehabilitation Program currently available to residents and expressed appreciation to California State University, Stanislaus for their contributions to the Virtual Turlock Student Project.

13. CLOSED SESSION

None

14. REPORTS FROM CLOSED SESSION

None

15. ADJOURNMENT

Mayor Bublak adjourned the meeting at 8:33 PM.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Cabada', is written above the printed name of the Deputy City Clerk.

Christina Cabada, Deputy City Clerk



NICHOLE FIEZ
CITY CLERK

DO NOT
REMOVE

OFFICE OF THE CITY CLERK
NFIEZ@TURLOCK.CA.US

156 S. BROADWAY, SUITE 230 | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5540 | FAX 209-668-5668 | TDD 1-800-735-2929

MEMORANDUM

TO: Honorable Mayor and Councilmembers

FROM: Nichole Fiez, City Clerk

DATE: June 23, 2026

RE: **10A – Addendum to Appeal with Exhibits on May 8, 2026**

Agenda Item 10A – Appeal of the Planning Commission's April 2, 2026, Determination Upholding the Administrative Decision Regarding the Application for Building Permit #25-1123

The attached documents are being provided to the public as part of the public record. The attachment titled "3-9-26 Appeal Application of Administrative Decision_Redacted", included with the staff report, states that Exhibits A through X submitted with the appellant's May 8, 2026, addendum are retained and incorporated by reference. The attached documents consist of those exhibits.

DO NOT
REMOVE

ADDENDUM TO CHAPTER 1-4 NOTICE OF APPEAL FILED ON APRIL 10, 2026

APPELLANT: Shawn Sheridan, Legal Agent for Tenant, Frances Dianne Sheridan

DATE: May 8, 2026

Received

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City Clerk's Office

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01 **I. INTRODUCTION**

This appeal to the City Council is the result of a protracted, almost year-long effort to compel the enforcement of mandatory life-safety codes and assert the fundamental rights of my 81-year-old mother. While she has been the resident of Apartment 200 at 290 N. Thor Street for ten years, the current crisis began in February 2025 when the Newman-based Garcia family purchased the property and assumed the role of landlord. The central actor driving this situation is **Armando Garcia Jr.** His actions have resulted in the construction of structurally defective stairs that must now be replaced for a third time, as well as the repeated concealment of a compromised balcony frame.

The exterior stairs leading to Apartment 200 provide exclusive access, thereby constituting a legal appurtenance to the rental unit (Civil Code § 1941.1). As such, the tenant holds a vested property interest and a fundamental right to safe ingress and egress. She is directly and adversely aggrieved by the City’s failures to enforce mandatory life-safety codes on the sole access point to her home (e.g., California Health and Safety Code §§ 17960, 17973, and 19825).

Furthermore, Mr. Garcia Jr.’s actions in twice replacing two sets of stairs for a six-unit apartment building have exposed key personnel within the Development Services Department, directed by Adrienne Werner. The administrative record demonstrates more than mere administrative bad faith; it exposes the City’s active facilitation of a sophisticated commercial enterprise—one that admittedly manages a 100-property portfolio—unlawfully operating under the guise of a DIY ‘Owner-Builder’ to evade mandatory state licensing and life-safety codes.

This document provides a researched, undeniable factual record that compels the City Council to rectify the situation pertaining to the stairs, and is executed as a formal declaration. Pursuant to Turlock Municipal Code § 1-4-01(a), this *de novo* appeal encompasses “any action or decision” by the Planning... and Building and Safety Divisions of [Community] Development Services, as well as “any action or decision” by the Planning Commission, which improperly denied my initial appeal on April 2, 2026.

02 **II. BACKGROUND**

03 **A. February through July 2025**

04 **1. Tour of Apt 200 by Prospective Buyer(s)**

On February 7, 2025, Apt 200, where I and my elderly mother reside, was toured by three men: Armando Garcia Sr., Armando Garcia Jr., and Hermay Castaneda. I am a non-tenant occupant and my elderly mother is the sole tenant. Mr. Castaneda handed me a Realtor business card, and I later learned his wife is Mr. Garcia Sr.’s daughter. The tour primarily consisted of Mr. Garcia Jr. asking me many questions, having been at the property for ten years, so I pointedly asked if he was the potential buyer, personally, and he replied, Yes.

05 **2. Property Purchase**

On February 19, 2025, a Grant Deed was filed, granting the property at 290 N Thor St to:

Armando P. Garcia, Sr. and Maria Guadalupe Garcia,
Trustees of the Garcia 2017 Living Trust Dated September 27, 2017
27107 State Highway 33
Newman, CA 95360

The Trustees have four adult children: Armando E. Garcia Jr., Karina (Garcia) Castaneda, Rolando Garcia, and Jose Garcia. Though unconfirmed, the circumstances strongly suggest that these are beneficiaries of the Trust, as named individuals and/or via entities (e.g., LLCs).

06 **3. New Landlord**

Effective immediately after the filing, the new landlord became:

Amarak Management, Inc.

549 Crow Hill Dr in Newman (state-filed home address of the Trustees)

Armando P. Garcia, Sr. ~ CEO

Armando E. Garcia, Jr. ~ Vice President, Director

Rolando Garcia ~ Vice President, Director

Karina Castaneda ~ Secretary, CFO, Director, Property Manager

But for many months, I only knew the company name and that Ms. Castaneda was the property manager. On May 28, 2025, I decided to go to Modesto and obtain a copy of the Grant Deed, then I researched the landlord company due to unresolved landlord-tenant issues. That's when I learned that Armando Garcia Jr. had a different connection to the property than as owner, rather as a Trust beneficiary—equitable versus legal ownership—and as a corporate officer.

At the April 2, 2026, Planning Commission meeting, Mr. Garcia Jr. confirmed at the podium, in the presence of his father: *"my father owns 100 properties and I handle them for him."*

07 **4. Documented Coercive and Retaliatory Rent Demand**

On February 27, 2025, Mr. Garcia Jr. came to the apartment door and demanded that my mother increase her rent from \$994 (below-market rate) to a minimum of \$1,350 (35.7% increase) or else face consequences. I recorded the 14-minute conversation, and later that day emailed a partial transcript to Ms. Castaneda, who had already acknowledged by email that she received a copy of the month-to-month rental agreement.

- **On forced vacancy:** *"We get a company, an eviction company. And then they do what they gotta do... We have to do it legally. But there's, there's ways. And, even if we lose, uh, I mean, if I have to have the apartment vacant for a year, I'll do it."*
- **On his own ruthlessness:** When I remarked that his approach sounded ruthless, he agreed, stating, *"It is."* I replied, *"Do you sleep at night?"* He replied, *"Hey, 1.2 million dollars we paid for this thing."*

- **On the Tenant Protection Act:** When I reminded him that state law protects tenants against these specific moves, he replied, *“Well, yeah, but, uh, it’s not gonna work.”*
- **On utilizing financial leverage:** *“if we need to lose a little bit of money at the beginning, we’ll do it. We, we, we own a lot.”*
- **On his ultimate intent:** *“I can do whatever. I, I mean, there’s ways to do this. There’s ways. There’s ways to do it. I don’t wanna do that. I don’t wanna get too confrontational. I don’t wanna do that. But I know I won’t put up with this.”*

It was this interaction that prompted my mother to obtain a General Durable Power of Attorney, making me her legal agent three days later. My entire interaction with the City of Turlock as a legal agent is based on that one conversation.

On July 19, 2025, this interaction was communicated to Turlock Police Department Officer Ward as an attempted extortion, potentially under California Penal Code 484(a), 519, 524, and/or 664. Officer Ward declined to create a report, stating that it would never be pursued criminally. On July 21, I emailed a summary to Professional Standards Sergeant Inderbitzen after a second discussion with Sergeant Neves, who also declined to create a report.

08 5. Escalation to Verbal Assault and Physical Threats

On January 26, 2026, Officer Derek Johnson (CallForService #260260045) responded to my call after a brief, recorded interaction onsite with Mr. Garcia Jr., after he and his crew arrived to begin work on the stairs without notice. I confronted him about the lack of any notice and the perjurious status of the permit. The video was emailed to both the officer and several city staff. He stated:

- *“Get out of my face. Because I am going to take care of you. And you’re going to learn the hard way.”*
- *“You’re going to learn the hard way. You’re going to learn the hard way. I’m telling you.”*
- *“Three. Two. One. I’m going to beat the sh-t out of you. I could do it so easy.”*

- “I’m the contractor, dumbass.”
- “It’s my f--king property.”

Internal communications obtained via PRA request #26-208 demonstrate the City’s continuing deference to the contractor, even after formal enforcement actions were initiated.

On March 11, 2026—the day after Development Services Director Adrienne Werner formally signed and posted the Stop Work Order notices at the property—Armando Garcia Jr. emailed Director Werner (copying Building Inspector Enrique Delgadillo, Staff Services Analyst Kimberly Hammack, and his sister). Complaining about the enforcement, he stated:

*“Good afternoon, I can meet you Friday at 11 o’clock in the morning if that works. I do have to mention that I feel harassed during this process. I have encountered much unexpected cost, and it has taken an excessive amount of my limited time. **All this, because we allow one person who has no authority dictate how we should proceed.** It makes me think twice before making any future improvements to our properties. In this case, an improvement that I did not have to make and yet has caused me over \$20,000. I hope you guys take this into consideration.”*

This correspondence functions as a documented confession of ongoing misrepresentation, which the City chose to ignore:

- **Admission of Financial Discrepancy:** Mr. Garcia Jr. explicitly claims the project “has caused me over \$20,000.” This directly contradicts Permit Application #25-1123, signed under penalty of perjury, which lists the project valuation at exactly \$10,000. This stark admission indicates he is either actively falsifying project valuations to the City to minimize permit fees, or inadvertently confessing to the combined costs of his initial unpermitted build in August 2025 alongside the current non-compliant attempt.
- **Continuation of Ownership Fraud:** By stating the costs “caused *me*” financial harm and referencing “our properties,” Mr. Garcia Jr. continues to portray himself as the legal owner.

The true property owners (the Trustees) would bear the capital expenditure. His statements expose the ongoing legal fiction the City is entertaining to allow a commercial contractor to operate under an Owner-Builder exemption.

- **The Director’s Deferential Complicity:** Mr. Garcia Jr. explicitly demanded that the City “take into consideration” his financial grievances over being forced to adhere to state building standards. Despite this occurring just two days after the filing of an appeal to the Planning Commission, Director Werner simply replied: *“Good afternoon, 11:00 a.m. will work. Thank you for your patience.”*

Director Werner’s response treats a formal, legally grounded enforcement action as a mere inconvenience to the violator. Thanking a contractor for his “patience”—while he actively maintains an un-engineered hazard and admits to financial discrepancies—treats the administrative appeal process as a mere formality rather than a mandate for life-safety oversight.

09 **6. Grounds Maintenance and Resulting Rent Increase**

At the end of March **2025**, the property was transformed from having established green grass, trees, and bushes, to bare dirt. That has remained the condition of the property through May 2026. I witnessed this being performed by the following companies, which notably share the same Newman address as the Trust:

- **Westside Landscape and Concrete, Inc.** (Armando Garcia, Jr. – CEO, Director; Rolando Garcia – CFO, Director; Karina Castaneda – Secretary)
- **Westside Landscape Services, Inc.** (Rolando Garcia – CEO, CFO, Director; Karina Castaneda – Secretary)

Four months after purchasing the property, on June 24, 2025, Ms. Castaneda emailed me stating: *“we have added the apartments to a routine maintenance program”*. This ‘program’ has consistently consisted of two Westside employees (employed by Mr. Garcia Jr.) arriving bi-

monthly merely to blow the walkways and parking lot and spray for weeds to keep the ground as solid dirt.

I spoke with Assistant Planner Kate Bailey about this issue last summer at City Hall, who advised that the new property owner should be given a few more months to install new landscaping. Following up, she replied on December 9, 2025:

"Thank you for your email and for bringing this matter to our attention. We have received your complaint regarding the condition of the landscaping at the property... Once we have a response or next steps identified, we will contact you promptly."

On December 22, 2025, I emailed both Ms. Bailey and Director Werner a formal complaint, which also addressed concerns about whether the property was subject to current municipal codes due to its age. Staff Services Analyst Kimberly Hammack replied that the matter was transferred to the City Attorney's Office and "...we will follow up with you once a determination has been made."

While the City's enforcement stalled, the property owners leveraged the uncorrected blight as justification for a rent increase. On March 18, 2026, my mother received a rent increase notice for the first time under the current ownership. The language of which was immediately disputed, including this sentence: *"The rent increase includes additional fees, such as landscaping and other related charges."*

At the April 2, 2026, Planning Commission meeting, I saw Ms. Bailey in the sound booth and asked if I was ever going to receive a status update; she replied that I must directly ask Director Werner. On April 26, 2026, I followed up by email: "Ms. Bailey, it has now been almost FIVE MONTHS..." She forwarded that to Director Werner, who replied at 8:09 p.m. on April 28:

"Mr. Sheridan, I spoke with Armando Garcia today regarding the landscaping at 290 N. Thor Street. He indicated they intend to replace the landscaping. Thank you for your inquiry."

10 **7. Corporate Complexity and Entity Shielding**

On June 27, 2025, according to a Stanislaus County record, a second corporate yard for Westside Landscape and Concrete, Inc., was purchased, at 887 N St in Newman, held by the same Trust as the apartments at 290 N Thor St in Turlock.

Notably, Rolando Garcia's Westside Landscape Services, Inc. (CSLB License #1107547) began an exempt status for Workers' Compensation Insurance at the CSLB's website effective the day before (June 26).

Armando P. Garcia Sr. maintains many single-member real estate investment LLCs, such as:

- Amarak Farms, LLC
- Amarak Investments, LLC** (used for the application and plans for **Permit #25-1123**)
- AMA Amarak Properties, LLC (Armando Sr., Maria, Armando Jr.)
- AMK Amarak Properties, LLC (Karina)
- AMR Amarak Properties, LLC (Rolando)
- AMJ Amarak Properties, LLC (Jose)

The state filings for all six entities show his home address of 549 Crow Hill Dr in Newman, but the Trust conspicuously has the same address as the Westside Landscape companies.

The Garcia children have their own entities, as well, for real estate investments:

- A. Garcia Properties, LLC
- K. Castaneda Properties, LLC
- R. Garcia Properties, LLC
- J. A. Garcia Properties, LLC

The City Council should be aware that the initial, unredacted Planning Commission Agenda Packet publicly displayed the driver's licenses of both Mr. Garcia Sr. and Mr. Garcia Jr.

On Sunday, March 29, 2026, I emailed the City about the privacy violations, and by Monday the images were redacted. This disclosure revealed that Mr. Garcia Jr.'s driver's license shows the address of both his company and the Trust, not his home.

This finding is not a side note, but rather suggests Mr. Garcia Jr. likely showed his driver's license to Building and Safety Division staff during the permitting process (#25-1123) for his now proven impersonation of his father. Nevertheless, the caveat is that his name is plainly shown as **Armando Estrada Garcia Jr**, not **Armando Plasencia Garcia (Sr)**.

As further detailed in part III, Mr. Garcia Jr.'s direct contact information is shown on both the permit application for #25-1123 and the approved plans next to 'Amarak Investments', a single-member LLC belonging to his father.

11 **8. June and July 2025 Complaints to the Building and Safety Division**

Shortly after the property was purchased in February 2025, the exterior building light sensor was turned off, so that no lights came on at night for any apartment door, stairs, or parking lot. On June 4, 2025, I went to City Hall and began the process of resolving the issue about the lights, subsequently emailing Building Inspector Enrique Delgadillo, who replied the same day without any assumption of City responsibility.

On June 9, Mr. Delgadillo replied that I should contact the Fire Department. In a further response, he then suggested I contact Staff Services Technician Kelly Blancarte to make a formal complaint. He explicitly stated that once the complaint was received, *"I will reach out in letter form letting the owners know of the violation, **they will have to reach out** and I'll go over what needs to be done"*. The first letter was mailed on July 28—**49 days later**. It was addressed simply to "Armando & Maria Garcia" at 27107 State Highway 33. That was a critical failure, and the beginning of a coordinated effort to conceal the true property ownership structure.

On June 13, 2025, I emailed "Kelley" via building@turlock.ca.us, which Ms. Blancarte did not confirm as received until June 25, where I provided the full Grant Deed grantee information and the contact information—company name, manager name, mailing address, email address, and phone number—of the landlord, describing that one of the Trustees is also CEO of the family-run landlord company, more than a month prior to the first letter being mailed by Mr. Delgadillo. (See Exhibit I).

The landlord left the residents, including my elderly mother, at Apt 200, without exterior lighting for many months, then under Mr. Delgadillo's watch, it continued many more months, when all that had to occur was for one sensor switch to be turned back on and the independent-sensor-controlled light fixture between the two sets of stairs be replaced with a solid light. The light fixture was replaced on September 10, 2025—**93 days after the Inspector's June 9 reply.**

On July 9, 2025, I had emailed the landlord a formal habitability notice about the severe condition of the stairs leading to Apt 200, likely built with the building in the 1980s.

Days later, on **July 11**—which became a focal-point date—I formally complained to the Building and Safety Division about the stairs for Apt 200, providing alarming photos of the dilapidated condition. (See Exhibit J) When the July 28 letter was sent out by Inspector Delgadillo, naming the exterior lights and stairs, it was poorly written, suggesting the issues be handled prior to an inspection. It stated:

*"...please contact the Building and Safety Division no later than August 11, 2025. A building inspector will need to go out and verify all items listed above **have been corrected.**"*

So, "no later than August 11" on August 5-6, employees of Westside Landscape and Concrete, Inc., replaced both sets of stairs without a permit, not to code, immediately creating life-safety hazards, by neither including handrails nor graspable guardrails. The guardrail leading to Apt 200 was built at a height of four feet six inches, level with my mother's shoulder, and left that way for six months.

Under the City's watch, this hazardous condition persisted for three upstairs units (both sets of stairs) for **six months, then another month** without handrails after the second replacements in February 2026. No handrail from August 5, 2025 to March 5, 2026. (See Exhibit B) Such was Mr. Garcia Jr.'s standards and competence as a licensed general contractor and the City's oversight.

12 **9. Subsequent Complaint to the Building and Safety Division**

On August 6, 2025, I emailed photos to the Building and Safety Division, showing the specific, severe incompetence in the unpermitted construction of the stairs leading to Apt 200, built earlier that day. Underneath the landing platform, the wood was resting on the four support posts by exactly 50%. Each post had a 90-degree angle cut resting on it rather than full coverage, and the wood on the mailbox side was left untouched, exceedingly rotted, in which none of that side rested on the posts. (See Exhibit A) It was considered by the elderly tenant and myself that those stairs seemed built as intentionally dangerous.

On the first day of the new construction, my mother fell backwards with nothing to hold on to, except that I caught her. She could have died that day. So, for the next seven months, practically every single day I had to escort her from and to her apartment.

On August 12, I emailed both building@turlock.ca.us and Ms. Blancarte: *"The new railing is level with her shoulder. These stairs, that are barely resting on the structural posts, must be partially or completely rebuilt. Notably, the stairs for the other apartments have lower railings and was built structurally sound with all new wood."*

Via PRA request #26-22, I learned that after Ms. Blancarte forwarded that email, an internal exchange between Staff Services Analyst Hammack and Inspector Delgadillo explicitly prioritized municipal liability over tenant safety (August 12): (See Exhibit M)

- **Delgadillo to Hammack:** *"First letter was sent out on 7/28/2025 giving property owner until 8/11/2025 to make contact, no contact was made. Second warning letter has been mailed out today 8-12-2025 giving them until 8-26-2025 to make contact. Phone number that was provided by finance was no good."*
- **Hammack to Delgadillo:** *"Are the stairs a big enough concern that we should tag them? I just want to be sure we are protecting ourselves. Thanks for staying so on top [of] this one!"*

The Building and Safety Division never exhibited any urgency whatsoever for proven hazards that could have resulted in death.

That late afternoon email thread demonstrates a conscious decision to delay enforcement. The Inspector mentioned contacting the Finance Department for a Newman-based property owner, knowing I had long-since provided the phone number of the property manager, identifying her as the daughter of the Trustees, even mentioning it in person at the counter at City Hall.

The very next morning, Inspector Delgadillo met Armando Garcia Jr. at the sidewalk in front of the apartment building. For fifteen minutes, they stood talking on the sidewalk, never once setting foot on the property, then left.

Later that day, Mr. Delgadillo gave an update to Ms. Hammack:

“Met with property owner today 8/13/2025 onsite went over what needs to be done. Permit and plans will be required for the repair/meeting min code compliance of the stairs, 30 days was given to submit permit application and plans. 9-24-2025 is the new deadline for submittal.”

Indeed, ‘9-24-2025’ became the exact date of the permit application (#25-1123), handwritten at the top of the form by Staff Services Technician Kayla Scully, though it was signed on ‘9/3/25’.

13 **B. Buffer Property Management**

14 **1. New Bridge Management**

On July 28, 2025, the same day that Inspector Delgadillo mailed the first letter, a company in downtown Turlock was contacted to begin managing the property (290 N Thor), effective August 1. The CEO of New Bridge Management (NBM), Adrian Harrell, came to the apartment door on July 30 and delivered an introduction letter as the new management company.

15 **2. Response to Stairs Issue**

On July 30, 2025, I emailed a seven-page letter to the NBM representative shown on the introduction letter. The next day, when the new management was not yet effective, I received a lengthy reply. I had stated: *“When I emailed a habitability issue on July 9, about the dangerous condition of the stairs, [Ms. Castaneda] completely ignored it.”* To that, the representative replied:

“New Bridge Management will request estimates from vendors for repair of the stairs. Once the ownership approves an estimate, the vendors will address the stairs. Given that New Bridge Management only took over the management of the property less than 48 hours, this task will take some time to address. Reasonable amount of time has to be given to address concerns at the property.”

On September 15, I emailed a formal letter to NBM, stating about the stairs: *“This is a daily safety concern for my mother.”* To that, the same representative replied with one sentence:

“Hello, if you have any work orders that need to be addressed, please make sure to open the work order through your portal.” (Signed: Maria Anaya, Realtor/Property Manager)

That is the known extent of NBM’s direct involvement regarding the stairs. Nothing more.

16 **3. Verbal Admission of Landlord Status**

On February 26, 2026, in a recorded conversation at the apartment door, Mr. Garcia Jr. stated: *“We are the landlord.”* At the time, I thought he was lying, just manipulating our conversation. But on April 22, 2026, I formally contacted NBM with a demand pursuant to California law that the true landlord identity be revealed, having previously believed that “manager” and “landlord” were one and the same. I demanded to know:

“Is NBM’s contract to act as the Landlord’s agent held directly with the Trustees of the Garcia 2017 Living Trust, or is it a subcontract with Amarak Management, Inc.?”

On April 25, 2026, I received an undated letter via First Class Mail from the CEO of NBM, copied to an attorney, stating the following, verbatim:

“To Mr. Sheridan: This is in response to your email dated April 10, 2026. The title for the property located at 290 N Thor Street in Turlock CA 95380 is held by Garcia 2017 Living Trust. New Bridge Management is the agent in charge of property management and enforcing lease terms. Adrian S. Harrell / CC Paul Echols”

Ms. Harrell defectively chose not to identify the landlord. I mention this exchange to highlight that, as I will detail further, Mr. Garcia Jr. has been a sophisticated actor—who even emailed Ms. Hammack on March 3, 2026, with “estimator” next to his name—not the harmless, “good faith” individual he was presented to be by Director Werner to the Planning Commission on April 2.

Whether Amarak Management, Inc., is the actual landlord, with NBM subcontracted, what is known is that Staff Services Technician Kayla Scully emailed the approved plans for Owner-Builder Permit #25-1123 directly to kcastaneda@westsidelandscape.net on December 9, 2025, and again on February 9, 2026.

17 III. PERMIT #25-1123—VOID AB INITIO

The crux of my appeal is that Permit #25-1123 is fundamentally incurable. It is not merely voidable; it is void *ab initio*—void from its inception.

If the permit were merely voidable, the City might attempt an administrative remedy. However, as void *ab initio*, it is a legal nullity. **(Note: For the purposes of readability, all subsequent references to “the permit” within this document refer strictly to the physical document of Building Permit #25-1123, without conceding any legal validity or lawful authorization).**

The City’s attempts to “administratively cure” the stairs at 290 N Thor St are legally moot because the authorizing instrument never legally existed. The foundation of the permit was built upon statutory defects, identity fraud, deceptive filings, and documented perjury—specifically,

an application where the Workers' Compensation declaration was willfully and fraudulently initialed to bypass state labor laws.

The City cannot separate the physical structure from the fraud used to authorize it. During an in-person meeting on February 9, 2026, Development Services Director Adrienne Werner explicitly asked me: *“What does it matter if the permit is invalid if the end result is stairs built to code?”*

This shocking admission perfectly encapsulates the City's systemic abandonment of its regulatory duty. Whether the stairs currently meet municipal building codes is an entirely irrelevant question. To argue that after-the-fact physical compliance excuses identity fraud and perjury is to argue that the end justifies illegal means. A structure born of a *void ab initio* permit is an unauthorized, illegal structure by definition.

Rather than acknowledge this fatal jurisdictional failure, the City has spent months treating Armando Garcia Jr.'s unlawful impersonation of his father, or as a property owner in general, as a routine oversight. However, this administrative complicity went far beyond mere negligence; it escalated into a coordinated effort by City staff to actively manufacture a retroactive legal defense.

18 **A. The City's Manufactured “Cure” and Active Complicity in Permit Fraud**

The City's reliance on Mr. Garcia Jr.'s February 17 letter as proof of his “good faith” is not merely an administrative error; it is the result of a coordinated effort by City staff, including the prior contracted City Attorney, to manufacture a retroactive defense for an illegal permit.

A review of Public Records Act disclosures and internal communications reveals a documented, chronological timeline of concealment and administrative complicity:

19 **1. The Two-Hour Coordination of Deception (February 13, 2026)**

On February 13—one day before construction was scheduled to begin on the stairs leading to Apt 200—the City was fully aware of the fatal jurisdictional defects of Permit #25-1123 since

my meeting at City Hall on February 9. Rather than voiding the illegally obtained permit, City departments actively coordinated a cover story:

- At **9:00 AM**, Ms. Hammack—explicitly acting “*with direction from our legal team*”—emailed Mr. Garcia Jr. prompting him to submit: “*A quick letter stating that you filled out the original owner builder form in good faith as acting representative for your parents trust.*” (See Exhibit R)
- Barely two hours later, at approximately **11:00 AM**, Paralegal Donna Andrino emailed me to formally declare: “*The City Attorney has reviewed the files provided to him and has made the determination there is nothing to warrant stopping work...*” (See Exhibit S)

The City Attorney’s office officially declared the permit valid during the exact same morning window that the Building and Safety Division was actively instructing the contractor to manufacture the paperwork needed to defend it.

Furthermore, Ms. Hammack’s email reference to Armando and Maria Garcia as Trustees is the first known instance of this legal entity being introduced into the record. Up until this exact moment, all known communications and City documentation classified them simply as individuals. By introducing the “Trust” entity into the record, the Building and Safety Division ceased acting as an impartial regulatory agency and effectively became the contractor’s defense counsel—actively inventing the legal fiction required to excuse his fraud.

20 **2. The Contractor Complies (February 17, 2026)**

Mr. Garcia Jr. submitted the requested letter, mirroring the exact legal defense the City fed to him. He explicitly admitted to filling out the form as a non-owner, which under California Owner-Builder law, constitutes an illegal filing. The City subsequently accepted this solicited letter to “authorize” the jurisdictionally void permit. (See Exhibit T)

21 **3. The Active Concealment and CPRA Violations (February 18 – April 2, 2026)**

The City concealed this manufactured letter and the internal communications coordinating it for over a month, actively violating the California Public Records Act (CPRA) to protect their cover story.

- **The Suppression of the Confession (PRA #26-158):** On March 15, 2026—six days after Appellant’s initial filing—I opened PRA #26-158, explicitly requesting all documents signed by Armando Garcia Jr. between February 9 and March 13. On March 18, the City uploaded the updated permit forms. In the NextRequest portal, anonymous “Staff” entries falsely declared: *“All responsive documents have been released”* and *“All records have been released and this concludes your PRA request.”* Crucially, the assigned point of contact overseeing this specific request was Development Services Director Adrienne Werner. Under her oversight, the City unlawfully withheld the responsive “good faith” February 17 letter without citing any statutory exemption, deliberately withholding responsive documents from the public record just days prior to my ‘Addendum II’ filing.
- **The Suppression of the Orchestration (PRA #26-165 & #26-201):** Subsequently, via PRA #26-165, I requested all correspondence generated during this period not bearing his signature. The City produced only a PDF with Stop Work Order notices allegedly posted to both sets of stairs at 290 N Thor St, unlawfully withholding the highly material February 13 internal emails that orchestrated the defense.
- **Fake Stop Work Order Notices:** The sole PDF provided for PRA #26-165 was of two notices allegedly posted at the property. (Reminder: This appeal document is submitted as a formal declaration under penalty of perjury.) Shortly after Inspector Delgadillo posted the actual notices onsite, I photographed them. They each had a unique signature by Adrienne Werner. The PDF uploaded on March 20 as an official record contains a single signature by her as two separate notices, and the signature does not match either of the notices actually posted onsite. The deception was so deliberate that the same image was tilted for the second notice, scanned as additional and unique, though the staple at the top is the same.

The willful nature of this suppression was inadvertently exposed by the City's own Information Technology Department. On April 3—the day after Director Werner defended the permit at the Planning Commission—I opened PRA #26-201. That request was assigned to IT, with Nick Showalter as the point of contact. Mr. Showalter located and produced the February 13 'prompting good faith' email on April 3—the exact same day the request was made.

The IT Department's ability to instantly provide the record proves the Development Services Department did not experience a technical limitation or administrative oversight in March. Director Werner's department executed a targeted, deliberate suppression of the February 13 emails to ensure the City's coordination of the "good faith" defense remained entirely hidden from the public and the Planning Commission.

22 **4. The Deception at the Podium (Planning Commission Hearing)**

The culmination of this bad faith occurred in front of the Planning Commission. At the podium, Director Werner explicitly cited Mr. Garcia Jr.'s February 17 letter as independent, documentary evidence that he acted "in good faith." She deliberately omitted the fatal fact that the City's own Building and Safety Division—acting on instructions from the City's legal team—had literally dictated that defense.

23 **B. The Staff Report's Written Admission of Jurisdictional Failure**

The City initially maintained the pretense that the permit was lawfully obtained by the property owner of record, Armando Garcia Sr. Even after I exposed that his son, Armando Garcia Jr., had unlawfully impersonated him to secure the document, Building and Safety Division staff spent months treating this as a minor workmanship and routine administrative issue. They completely ignored that the person building the stairs had no legal right to hold the permit in the first place.

In a revealing admission of this administrative bad faith, the Staff Report for the Planning Commission openly acknowledges this fatal defect:

“Additionally, Armando Garcia Jr. is a State of California licensed contractor and as such could have obtained the building permit in that capacity as well.” In attempting to minimize the deception, the author inadvertently confirmed the jurisdictional failure. The City conceded that a commercial contractor was performing the work, yet actively chose not to obtain the permit in a lawful capacity. Stating that he ‘could have’ obtained it legally is a stark admission that he *did not*—meaning no legally recognized project ever existed for the City to inspect or ‘cure.’

24 **C. Foundational Problem in the Permitting Process**

On April 2, 2026, Director Werner testified to the Planning Commission regarding the City’s permitting framework. Her testimony, mirrored by the official Staff Report, revealed that the City willfully bypasses the specific mandates of California Health and Safety Code (HSC) § 19825 regarding the creation and execution of permit forms.

25 **1. Sole Reliance on Building Code for Forms**

According to the Staff Report, the City relies almost exclusively on the California Building Code (CBC) to justify its administrative authority. The report cites CBC § 105.3, stating it *“Requires that applications for permits be submitted to the Building Official in the form prescribed by the jurisdiction”*.

The City has interpreted this administrative latitude to create in-house forms that rely solely on the Building Code as their operational manual. However, the Staff Report explicitly admits that the City is aware this code is insufficient for establishing legal authority:

“Questions related to contractor licensing, owner-builder declarations, and contractor eligibility are generally administered through the California Contractors State License Board (CSLB) and the California Business and Professions Code, rather than the California Building Code itself.”

Despite acknowledging that State Statute dictates who can legally claim “Owner-Builder” status, the City’s “prescribed forms” strip away these exact statutory requirements.

2. Substantial Deviation from Statutory Mandates (HSC § 19825)

By substituting state law with municipal preference, the City created procedural gaps that were directly exploited to secure Permit #25-1123. Director Werner has dismissed HSC § 19825 as discretionary, or even unnecessary, but it plainly states:

*“19825. (a) **Every city, county, or city and county, whether general law or chartered, that requires the issuance of a permit as a condition precedent to the construction, alteration, improvement, demolition, or repair of any building or structure, shall require the execution of a permit application, in substantially the same form set forth under this subdivision...**”*

The City’s “prescribed forms” deviate significantly from the strict requirements of this law in critical ways:

- **Severing the Declarations:** HSC § 19825(a) mandates that the required statutory declarations—including the Owner-Builder exemption and Workers’ Compensation declarations—must be executed on the permit *application*. The City’s in-house process unlawfully severs this requirement. It allows an application to be submitted and processed for months without any sworn declarations, pushing the mandatory signatures to a separate form executed on the day the permit is issued.
- **Delayed Agent Authorization:** HSC § 19825(b) mandates an independent form titled, “Authorization of Agent to Act on Property Owner’s Behalf.”
 - **The Obfuscation:** Instead, the City obscured this requirement by appending it to the end of a multi-page “Owner-Builder Acknowledgement” form, which was not required by the City until the actual date of permit issuance.
 - **The Loophole:** Because this bifurcated process failed to require this standalone authorization at the application stage, the person applying for the permit was not required to legally prove they had the authority to initiate the process or encumber the property. The City only requested an authorization form for the final “permit holder” at

the very end of the transaction. For example, the City’s permit application utilized an unregulated “Agent” checkbox that any individual could mark without providing proof of agency. Conversely, the final declaration form—presented months later on the day of issuance—utilized a distinct “Authorized Agent” classification that finally required the property owner’s signature. This disjointed terminology allowed unauthorized third parties to infiltrate the permitting process unchallenged.

- **Confirmation of Willful Intent:** The administrative timeline proves this structural loophole is a conscious municipal policy rather than a clerical oversight. On January 9, 2026, I emailed the Interim City Manager and the Development Services Director an “Evidentiary Supplement” explicitly exposing that the individual executing the documents bypassed statutory requirements because he “did not identify as an ‘Authorized Agent’”. One week later, on January 16, the City reacted by officially revising the Owner-Builder form. While they added a new introductory paragraph explicitly citing Health and Safety Code § 19825, they consciously chose to leave the unlawful, appended format completely unchanged.
- **Dilution of Statutory Signatories:** State law requires specific, distinct declarations to be executed under penalty of perjury by a Licensed Contractor, the Owner of Record, or a formally Authorized Agent. The City’s forms unlawfully homogenize these distinct legal identities by funneling them into a single, generic signature line for a “Permit Holder.” This administrative invention dilutes statutory accountability, allowing an individual to check an “Owner” exemption box while signing as a generic entity, thereby bypassing the strict perjury traps established by the state. By maintaining a system that finalizes permits for a generic “permit holder” rather than a statutorily verified Owner, Contractor, or Agent, the City actively preserves the exact loophole used to facilitate this identity fraud.

27 **D. The Application/Permit Mismatch: Violations of HSC § 19825**

28 **1. The Statutory Mandate for Agent Authorization**

California Health and Safety Code (HSC) § 19825(b) establishes a strict prerequisite for permits executed by third-party agents. The law mandates: *“When the Permit Application and the Owner-Builder Declaration have been executed by a person other than the property owner, prior to issuing the permit, the following shall be completed by the property owner and returned to the agency responsible for issuing the permit...”*. This must include the *“AUTHORIZATION OF AGENT TO ACT ON PROPERTY OWNER’S BEHALF”*.

29 **2. Failure to Obtain Pre-Permit Authorization**

For Permit #25-1123, the Building and Safety Division violated this mandate. The Permit Application was signed by an agent, Osvaldo Reyes, but the required “Authorization of Agent” was never completed by the property owner prior to issuance. By allowing an agent to act without the legally mandated, perjury-declared authorization from the property owner, the permit was issued unlawfully.

30 **3. Incomplete and Severed Execution**

Furthermore, the application process for Permit #25-1123 was improperly fractured. The law treats the Permit Application and the Owner-Builder Declaration as integral components that must be executed together by the designated individual.

- **Missing Declaration:** The unauthorized agent executed the Permit Application but failed to execute the accompanying Owner-Builder Declaration.
- **Statutory Integration:** HSC § 19825(a) explicitly binds the language of both the application and the declaration. The Owner-Builder Declaration itself acknowledges this integration, stating: *“I understand that a copy of the applicable law... is available upon request when this application is submitted...”*. Allowing “a person” to execute one half of the application while omitting the other violates the structural intent of the statute.

31 **4. Unlawful Retroactive Cure**

HSC § 19825(b) explicitly requires that the property owner complete the necessary authorizations *“prior to issuing the permit”*. Recognizing their error, the Building and Safety Division—under the direction of the City Attorney’s Office—attempted to circumvent this legal mandate by accepting an “updated” Owner-Builder Acknowledgement form more than two months *after* the permit was already issued. The statute provides no allowance for retroactive compliance; the initial issuance was therefore invalid.

32 **5. Link of Application and Permit: agarcia@westsidelandscape.net**

The April 2 Staff Report states: *“Anyone may apply for a building permit; however, permits must be issued to the property owner of record, a licensed contractor, or an authorized agent of either with a completed owner-builder form.”* Not only was that a material misstatement of the law, conveyed specifically for Permit #25-1123, but the City knew that the Permit Application contained a false property owner.

The Application shows the owner of 290 N Thor St as **Amarak Investments**. The phone number and email address belong to Armando Garcia Jr. The city-approved plans also show the owner as Amarak Investments, with Mr. Garcia Jr.’s phone number.

Director Werner and Building and Safety Division staff used that number to reach Mr. Garcia Jr. And, his signed February 17, 2026, “good faith” letter to the Division confirmed that the number belongs to him. Yet, the number is omitted on the permit, with the owners shown as “Armando & Maria Garcia”.

Permit #25-1123 is linked to the Permit Application by an email address. Nothing more.

33 **6. Undeniability of Actual Notice of Property Ownership**

Inspector Delgadillo’s first and second letter to the alleged property owners, dated July 28 and August 12, were addressed to ‘Armando & Maria Garcia’. Alleged, since Armando and Maria

Garcia are not the property owners as individuals, only as Trustees. But the City can not deny that at no time was a communication sent to ‘Amarak Investments’.

It was illogical to include Maria Garcia’s name on the permit, when no document for the permit process mentions her name, not even the so-called “updated” documentation in February 2026.

Mention October 1 and 13...

34 **7. TBD vs OWNER/BUILDER**

The Application has as the Contractor name: “TBD” (To Be Determined). But the Permit has for the Contractor name: “OWNER/BUILDER”.

City staff completely failed to recognize that the ‘E-Mail Address’ on the Building Permit is not randomly placed; it has nothing to do with the owner. It is specifically located under “Contractor Information”. So, the Application shows agarcia@westsidelandscape.net as linked to the *Owner*, and the permit shows the email address as linked to the *Contractor*.

35 **8. Undeniability of the “Construction Waste Management Plan” Form**

The City’s “Construction Waste Management Plan” form was completed and signed by Armando Garcia Jr. He signed on the “Contractor’s Signature” line the day the permit was issued.

At the top of the form, it shows the following:

- **Contractor’s Name:** Armando Garcia / **Telephone:** 209.765.3112
- **Owner’s Name:** Armando Garcia / **Telephone:** 209.862.3908

Mr. Garcia Jr. used his mobile number as the Contractor and his company’s main office number for the Owner.

The City possessed multiple contemporaneous documents—from the application to the waste plan—proving Mr. Garcia Jr. was operating as an unverified contractor, yet they willfully

ignored these documented contradictions to issue the permit under the improper classification of an Owner-Builder.

36 **9. Undeniability of Armando Garcia Jr.'s Bad Faith**

The February 17, 2026, letter from Mr. Garcia Jr. provides clear evidence of material misrepresentation. While presented in the Planning Commission Agenda Packet as a justification for the City's position, the letter instead solidifies several critical discrepancies in the record:

- He stated, *"please call my cell at 209.765.3112."* This confirmed that the Application and City-approved Plans contained his personal mobile number.
- He personally signed the letter, confirming that the signatures found on documents up to the issuing of the permit are his. His conspicuously signed 'A' for Armando is vastly different from his father's signed 'A'—a discrepancy evident on their driver's licenses and conclusively demonstrated through the handwriting analysis provided in Exhibit U.
- He explicitly admitted: *"I, Armando Garcia Jr. filled out the original owner builder format [form]..."* Rather than flagging this admission as a material misrepresentation on an official city document, the City presented it to the Planning Commission as an acceptable "update," undermining the integrity of the permitting process.
- His letter was not a legal update. The December 9, 2025, Owner-Builder Acknowledgment form states for Item 12: *"I agree to notify the City of Turlock Building & Safety Division immediately of any additions, deletions, or changes to any of the information I have provided on this form."* His subsequent letter, arriving months after the permit was issued and only after I had formally accused him of impersonating his father, demonstrates that the December 9 document was a legal nullity in its entirety, failing the City's basic requirements for accurate, timely disclosure.

- He attempted to deceive “To Whom it may concern”—the City of Turlock—that he was merely “*the eldest son*”. He is a multi-entity corporate officer along with his siblings, as well as highly-likely a Trust beneficiary with his siblings, including being a Vice President and Director of a property management company of which his father is the CEO.
- He described himself as “*acting representative for Garcia 2017 Living Trust.*” He is not a Trustee.
- He stated: “Armando and Maria Garcia owners of the Garcia 2017 Living Trust.” He knew he was not the owner, but the legal usage of “owners” rather than “trustees” was deliberate. The legal usage obscures the fact that prior to my appeal, no document connected to Permit #25-1123 properly identified the legal Trustees or referenced a Trust, rendering the ownership documentation fundamentally defective.
- He stated: “*My parents have asked me to complete this task [stairs] on their property and I have their full authorization to continue such work.*” His mother’s name cannot be found on any document for Permit #25-1123 other than the permit itself, illegally shown as an owner as an individual rather than as a Trustee.

Former City Attorney George Petrulakis publicly stated in the Turlock Journal on September 27, 2025, that he “would never leave a client in a lurch.” Yet, his determinations regarding this matter—compounded by his subsequent departure—have left the City in exactly that position: a significant fiduciary lurch. But Mr. Petrulakis did not act alone. It took more than one person to deem this paperwork acceptable, most substantially Development Services Director Adrienne Werner. She presented to the Planning Commission on April 2, 2026, and stated that Mr. Garcia Jr. had acted in good faith. However, the evidence demonstrates a clear pattern of bad faith that the City Council must not ratify.

37 **10. Actual Notice of Fraud Prior to Construction**

If my initial detailed June 13, 2025, email was not enough to convey to the Building and Safety Division that Mr. Garcia Jr. was not the property owner—that there were Trustees and he wasn’t one of them—my in-person conversation with Mr. Delgadillo and Ms. Blancarte on October 1, the same day Building Official Daryl Willey died, and the subsequent October 13 email reply cannot be denied.

Two months before Permit #25-1123 was issued, I warned them that Mr. Garcia Jr. may attempt to portray himself as the property owner. I again provided details of the Grant Deed and stated:

“I keep thinking of our conversation the other day about you working with Armando Garcia, Jr., regarding the stairs for Apt 200 at 290 N Thor St. I mentioned that he is not the owner... The address on the deed is the business address for Westside Landscape and Concrete, Inc., owned by Armando Garcia, Jr. He is likely a 25% beneficiary of the living trust, and may not be a direct beneficiary at all, but through an LLC along with his three siblings. I just want to make sure that the city is working with the right authority to avoid any problems with the permit or inspections.”

On October 13, 2025, Ms. Blancarte, copied to Mr. Delgadillo, replied by email: *“Hi Shawn, Thank you for your message and for providing this information...We appreciate your diligence in helping ensure everything proceeds smoothly.”* (See Exhibit N)

38 **11. The Pre-Issuance Orchestration: The First Week of December 2025**

The most explosive evidence of the Building and Safety Division’s complicity occurred during the exact week leading up to the issuance of Permit #25-1123. A documented, day-by-day timeline proves the City possessed explicit, internal knowledge of the contractor’s corporate identity in the immediate days preceding the issuance of his “Owner-Builder” permit:

- **December 2 (The Corporate Acknowledgment):** Staff Services Analyst Kimberly Hammack sent an internal email to Inspector Delgadillo and Staff Services Technician

Kelly Blancarte regarding PRA request #25-201. Embedded directly in Ms. Hammack's email, obtained via PRA request #26-22, was the text of my request, which explicitly identified Armando Garcia Jr. as "the owner of Westside Landscape and Concrete, Inc., and a vice president of the family-owned property management company Amarak Management, Inc." It further requested communications linked to their corporate email addresses (agarcia@westsidelandscape.net and amarakmgmt@yahoo.com). (See Exhibit O) This proves the Division explicitly possessed his commercial identity and corporate roles.

- **December 3 (The Permit Review):** The very next day, Staff Services Technician Kayla Scully emailed Inspector Delgadillo the internal audit log specifically detailing the timeline of Permit #25-1123. This proves that the exact staff members who possessed the December 2 email regarding Mr. Garcia Jr.'s commercial landscape and corporate property management status were concurrently reviewing his active permit file.
- **December 4 (The Explicit Demand for Contractor Credentials):** The most legally devastating proof of the City's active complicity exists in an email sent by Ms. Scully ("KS") to both the unauthorized applicant agent and Mr. Garcia Jr. at his corporate email (agarcia@westsidelandscape.net). In this communication, the City explicitly demanded two items required to complete the permit: "General contractor's license number and email address" and "Contractor to complete and return the Construction Waste Management Plan".

This email, provided via PRA request #26-20, undeniably proves that five days prior to issuing an "Owner-Builder" permit, the Building and Safety Division possessed actual, documented knowledge that a commercial contractor was managing the project. (See Exhibit P) When Mr. Garcia Jr. failed to produce the requested General Contractor's license number, the City actively facilitated his evasion of state law by allowing him to impersonate his father to claim "Owner" status, executing the final transaction on December 9 under a demonstrably fraudulent Workers' Compensation exemption.

- **December 4 (The Public Record Alteration):** When the City released the responsive July 28 and August 12 warning letters, Deputy City Clerk Kelly Renteria actively redacted the mailing address as “personal privacy” and subsequently ignored my formal challenge. Hiding a commercial service address that is already permanently available on a public County Grant Deed demonstrates a coordinated administrative effort to actively conceal the contractor’s corporate footprint.
- **December 9 (The Issuance and Active Impersonation):** Despite possessing this documented knowledge of his commercial identity just days prior, the Division allowed Mr. Garcia Jr. to actively impersonate the property owner to secure the permit. The City’s subsequent defense—that staff verified his identification but failed to retain a copy—is destroyed by the “permit holder’s” own identification. His driver’s license plainly reads “Armando Estrada Garcia Jr.” Had staff actually performed this legally mandated verification, his printed name alone would have been an immediate, undeniable red flag that he was not the owner of record, “Armando P. Garcia Sr.”, who legally holds the property strictly as a Trustee. By ignoring this facial discrepancy and allowing an unverified impersonator to sign as a generic “permit holder,” the Division’s actions moved beyond administrative error. Ultimately, for the Division to process a statutory “Owner-Builder” exemption for an individual they had internally recognized as a commercial contractor and corporate Vice President just days prior constitutes willful administrative fraud.

(Note: My inclusion of his corporate title in PRA request #25-201 stemmed solely from general knowledge of his career and public state filings. Because New Bridge Management began to manage the property at 290 N Thor St in August 2025, I had no knowledge that his “VP” status held any operational relevance until he confessed, “We are the landlord,” on February 26, 2026).

39 **12. The City's Foundational Contradiction: The July 11 Misclassification of Permit Requirements**

While the timeline of the July 11, 2025, complaint is established in the Background of this appeal, newly discovered documentary evidence from the City's own records reveals a fatal contradiction at the very genesis of this case.

The July 11 Complaint Form (Case Number 25-0470), included in the City's Agenda Packet, explicitly documents the reported hazards: "ALSO BASE OF STAIRS ARE DRYROT AND DETERIORATING." Yet, below this description, the "No" checkbox is marked for "Building Permit Required." (See Exhibit K)

This internal misclassification is a glaring failure of basic code enforcement that compromises the City's entire defense of its permitting process:

- **Failure to Identify Structural Hazards:** Repairing structural dry rot on a multi-family residential exterior staircase is not a cosmetic fix; it inherently requires a building permit to ensure structural integrity and tenant safety. The City's initial administrative determination that no permit was required for this work demonstrates profound negligence, especially since I both emailed and showed in person at City Hall photos of a substantially dangerous condition.
- **Fostering Unpermitted Construction:** By internally concluding on July 11 that no permit was necessary, the Building and Safety Division's subsequent July 28 letter to the property owners predictably resulted in Westside Landscape and Concrete, Inc. replacing the stairs on August 5-6 without a permit or City oversight. This directly resulted in the hazardous, non-compliant construction that left elderly tenants without proper handrails for over six months.
- **Contradicting the Director's Core Defense:** This document unravels Development Services Director Adrienne Werner's stated defense regarding how the City handles safety hazards. On April 7, 2026, Director Werner claimed that life-safety issues are handled

“through the Building Department, through the plans review, as well as the inspections.”

However, the City’s own July 11 intake form proves that staff initially bypassed this exact process, explicitly exempting a reported structural hazard from any plans review or permitting requirements.

The City cannot logically defend its retroactive acceptance of Permit #25-1123 as “good faith” code enforcement when its own foundational document proves it failed to mandate a permit for structural dry rot in the first place.

40 **13. The City’s Acceptance of Shifting, Invalid Ownership on Construction Plans**

The City’s failure to verify proper legal authority was not a singular oversight isolated to the December 9, 2025, Owner-Builder form. A review of the permitting documents reveals a highly irregular, unverified chain of custody regarding the property’s ownership.

The timeline of the submitted construction plans demonstrates a complete breakdown of administrative scrutiny:

- **The Initial September 3, 2025, Submission:** The original construction plans submitted by unauthorized applicant agent/drafter Osvaldo Reyes identified a completely unrelated individual in Tracy, California, as the Client/Owner.
- **The November 24, 2025, Re-Submittal:** Following architectural comments from the City, a “Re-Submittal Application” was filed. On these newly corrected plans, the Client/Owner was changed to “Amarak Investments,” alongside Mr. Garcia Jr.’s personal phone number and claiming the property itself (290 N Thor St) as the owner’s contact address.
- **Complete Omission:** The Agenda Packet provided to the Planning Commission included the initial plans, revealing that the City’s internal correction comments completely failed to flag the incorrect Client/Owner information. Plainly, the listed information had no connection to the Permit Application or the true property ownership—facts which had been explicitly communicated to the City well before the September filing.

41 **E. The Categorical Statutory Bar to Owner-Builder Status (BPC § 7044)**

By allowing this project to proceed as an Owner-Builder permit for a six-unit complex, the City has essentially sanctioned unlicensed contracting. Under California Business and Professions Code (BPC) § 7044, the Garcias (as Trustees) are barred from being “Owner-Builders” on this property for three specific reasons:

1. **The “Non-Residency” Bar:** The exemption is designed for an owner who “occupies or intends to occupy” the structure. Since they live in Newman (as shown on the Grant Deed) and the property is a six-unit building in Turlock, they are clearly **commercial landlords**, not “homeowners.”
2. **The “Multi-Family/Commercial” Bar:** Section 7044(a) is intended for *single-family* dwellings. The state’s interest in protecting the public (the tenants) outweighs the owner’s right to “DIY” their own property.
3. **The “Commercial Enterprise and Tenant Safety” Bar:** The statutory exemptions under BPC § 7044 are designed to allow homeowners to improve their personal residences, not to provide a regulatory loophole for commercial landlords. Because this six-unit property is an income-producing asset actively leased to the public—including the established ten-year tenancy of Frances Dianne Sheridan—it operates as a commercial enterprise. The State Legislature enacted the Contractor’s State License Law specifically to protect the public from dangerous, unlicensed construction. Utilizing an “owner-builder” exemption to bypass structural safety mandates on an occupied multi-family rental entirely subverts the tenant protections the law was explicitly written to enforce.

42 **F. Undeniability of the Declarations Page for Permit #25-1123**

43 **1. Staff-Generated Legal Declarations**

The Building and Safety Division's declarations page for Permit #25-1123 contains eleven (11) checkboxes for the initialer/signer to choose from to establish their legal standing. Mr. Garcia Jr. did not physically or digitally mark any of them.

Instead, Division staff digitally inserted five (5) X's—two for checkboxes, two for initial lines, and one for the signature line. It was City staff, not Mr. Garcia Jr., who affirmatively marked the Workers' Compensation exemption and declared that the signatory was the "Owner," rather than a Contractor or Authorized Agent. By digitally altering the form to make these selections on his behalf, the City actively manufactured the legal compliance of the document for a mere "permit holder" who lacked the standing to claim those exemptions himself.

However, if in fact City staff did not digitally insert the X's for the signer, it is still a 'Catch-22'. Either way, staff were required to review what was provided.

44 **2. The Unlawfully Incomplete Declaration**

The City has maintained that Permit #25-1123 is valid despite the "Owner Builder Declaration" section lacking a single marked checkbox.

- The first three checkboxes dictate the terms of the owner-builder status (e.g., performing work with employees whose sole compensation is wages, and stipulating the structure is not intended for sale). None were marked for this six-unit multi-family building.
- The fourth and fifth checkboxes are required to establish the legal exemption from the Contractor's State License Law. Next to the blank line where a specific reason for exemption must be stated, Mr. Garcia Jr. willfully provided his initials.

He effectively initialed a blank legal claim. The City accepted a sworn declaration where nothing was actually declared, deeming it acceptable to the point of including it in the Agenda Packet for the Planning Commission as a valid legal document.

45 **3. The Fraudulent Circumvention of State Law via the “Permit Holder” Designation**

The most foundational evidence of the City’s deliberate evasion of State law lies in the very signature line of Permit #25-1123. Mr. Garcia Jr. physically signed his name on a line explicitly designated as: **“Signature of permit holder.”**

This terminology is not a harmless administrative shorthand; it is a calculated circumvention of the California Health and Safety Code.

- **The Statutory Mandate:** California Health and Safety Code § 19825 governs the issuance of Owner-Builder permits. The statute strictly requires that the *property owner* personally execute the legal declarations to assume the liability of construction. The Health and Safety Code contains no provision, allowance, or legal definition for a generic “permit holder” to execute an Owner-Builder declaration.
- **The Systemic Loophole:** Under the multi-year legal oversight of former City Attorney George Petrulakis, the Building and Safety Division utilized forms that replaced the statutorily required designation of “Property Owner” at the signature line with “permit holder.” This fundamentally alters the legal burden of the document. By using this generic term, the City created a fraudulent administrative loophole allowing non-owners to sign for permits without explicitly forcing them to commit perjury by signing directly over the words “Property Owner.”
- **Facilitating Invalid Permits:** This manufactured loophole is the exact mechanism that facilitated the issuance of Permit #25-1123. The City possessed Actual Notice that Mr. Garcia Jr. was not the legal owner of the property. However, by asking him to sign merely

as a “permit holder,” the City allowed him to finalize the transaction while bypassing the strict liability and verification requirements mandated by the State Legislature.

46 **4. Irregular Issuance Evidenced by an Outstanding Financial Balance**

The “Comments” section of the permit contains a critical notation: “**PER COMPLAINT.**” This explicitly proves that the Building and Safety Division was fully aware this permit was generated in response to an active code enforcement action. Such circumstances strictly demand heightened administrative verification.

Instead, the Division expedited a rushed, incomplete document that contained unresolved financial discrepancies on its face. The officially generated fee table shows a total outstanding balance of \$1,639.13.

While a handwritten note by Staff Services Technician Kayla Scully (“KS”) indicates Check #2743 was ultimately received for the \$1,639.13 amount on the December 9 issue date, the timeline of the document’s creation is highly irregular. The official legal declaration was generated, finalized, and presented for signature while the digital record still reflected an unpaid balance. This discrepancy further demonstrates the rushed nature of this issuance—a process designed to quickly close a complaint file rather than ensure strict legal and administrative compliance.

47 **G. Statutory Violations: The Legal Invalidity of Permit #25-1123**

The cascading administrative failures documented above are not merely clerical errors; they constitute direct, fatal violations of State law that strip Permit #25-1123 of any legal validity.

48 **1. The Non-Waivable Mandates of California Health and Safety Code § 19825**

The Owner-Builder declarations required for a building permit are not local administrative formalities that City staff can alter or waive at their discretion; they are strict mandates under California Health and Safety Code § 19825. The State Legislature enacted § 19825 specifically to prevent the exact type of unregulated, fraudulent construction activity that occurred at this

property. The statute legally requires the local jurisdiction to verify that the individual signing the permit is the actual property owner, and it strictly mandates that the owner personally declare their exemptions.

By accepting an Owner-Builder form where the signatory initialed a blank exemption claim, and by having City staff digitally fabricate the checkboxes to declare Workers' Compensation exemptions and property ownership on Mr. Garcia Jr.'s behalf, the Building and Safety Division actively violated HSC § 19825. The City has zero statutory authority to issue a permit based on a materially false, staff-altered, and incomplete Owner-Builder declaration. Therefore, Permit #25-1123 was issued in violation of State law and is void *ab initio*.

49 **2. The Public Admission of Statutory Non-Compliance (HSC § 19825(a))**

On April 2, 2026, Director Werner testified before the Planning Commission and explicitly stated that the Building and Safety Division does not verify property ownership prior to issuing a permit.

This stated municipal policy is a direct, fatal violation of State law. HSC § 19825(a) strictly mandates that the issuing jurisdiction *"shall require... any individual who executes the Owner-Builder Declaration to present documentation sufficient to identify the property owner and, as necessary, verify the signature of the property owner."*

The City cannot claim this failure of verification was a harmless administrative gap; the omission was willful. On February 12, 2026, I emailed Paralegal Donna Andrino a copy of the property's Grant Deed—the exact legal documentation required by statute to verify true ownership. Ms. Andrino forwarded this definitive evidence to the City Attorney.

The following day, February 13, rather than utilizing this documentation to verify ownership and halt the fraudulently obtained permit as mandated by HSC § 19825(a), the City Attorney's Office determined that "time is of the essence." Ms. Andrino explicitly relayed this determination to me,

giving the official administrative go-ahead for construction on the stairs for Apt 200 to begin the very next day.

The City publicly admitted to bypassing the strict verification mandate of HSC § 19825(a), and internal communications prove they actively ignored the verifying documentation even after it was placed directly into the hands of the City's legal team.

50 **3. The Perjury Trap: Defending Corporate Labor on a Zero-Employee Permit**

On December 22, 2025, Staff Services Analyst Kimberly Hammack issued a formal, written defense regarding the contractor's scope of work. In her email, responding directly to my inquiry regarding Westside Landscape & Concrete, Inc., she cited Business and Professions Code § 7057 to justify that a Class B contractor was legally authorized to perform the general building construction for the proposed stair replacement. (See Exhibit Q)

This defense creates an undeniable legal trap for the City. Permit #25-1123 was issued under the statutory "Owner-Builder" exemption. At the time of Ms. Hammack's email, the City had already finalized the permit utilizing the legally deficient "permit holder" designation, wherein the signatory swore under penalty of perjury that they were "EXEMPT" from Workers' Compensation laws and would "not employ any person in any manner." Under California Insurance Code § 1871.4, making a materially false or fraudulent statement regarding Workers' Compensation exemptions to a government agency is a felony.

The City cannot have it both ways. If the "permit holder" is legally exempt and utilizing zero employees, there is no corporate Class B contractor scope of work to defend. If the City is actively defending a Class B corporate entity's scope of work for the project, they are concurrently admitting that the "permit holder's" sworn declaration of zero employees is perjury. The City's active defense of a commercial contractor's scope fundamentally invalidates the Owner-Builder exemption the permit relies upon.

51 **4. Actual Notice of Fraud Prior to Construction**

The City cannot dismiss this contradiction as a routine administrative oversight. Executive leadership was fully briefed on the deception before the hazardous replacement stairs were built. On January 9, 2026, I emailed an “Urgent Evidentiary Supplement” to Interim City Manager Borrego, Director Werner, and City Attorney Petrulakis.

This document provided actual, written notice that Permit #25-1123 was obtained through material fraud. It explicitly warned the City that:

- A false “Owner” classification was ratified to circumvent state licensing requirements.
- The Approved Plans indicated “CONTRACTOR: TBD”, rendering the “Exempt” status on the permit application facially invalid.
- On December 9, 2025, the City itself forwarded the approved blueprints directly to the Corporate Secretary of Westside Landscape and Concrete, Inc., proving the City possessed internal documentation that a corporate entity—not an individual Owner-Builder—was managing the project.

By receiving this documented proof of corporate involvement in January 2026 and still allowing the unpermitted construction to proceed under a fraudulent exemption the following month, the City abandoned its regulatory duty to enforce mandatory life-safety codes.

52 **5. Documented Pre-Inspection Coordination with a Corporate Entity (January 26-27, 2026)**

The City’s claim of administrative ignorance regarding the contractor’s corporate identity is definitively destroyed by its own communication logs. Through PRA #26-70, I requested all communications between the Building and Safety Division and the specific phone number listed for the Client/Owner “Amarak Investments” on the City-approved plans.

The City's produced call logs reveal that Inspector Delgadillo engaged in active, multi-minute phone conversations with this corporate-linked number on January 26 (a three-minute call) and January 27 (a four-minute call). Crucially, January 26 is the exact date the unpermitted commercial crew arrived and elevated both sets of stairs. The City was actively coordinating the project over the phone with the number assigned to a corporate entity (Amarak Investments) during the critical elevation phase.

By the time Inspector Delgadillo arrived at the property for the site visit the following day, he had already spent seven minutes on the phone with the individual operating under a corporate entity's contact information. He did not stumble into an unverified commercial operation; he arrived with premeditated, actual knowledge of who was running the site.

53 **6. Field Verification of Fraud: The January 28, 2026, Inspection**

The City's complicity in bypassing State law extended from City Hall into the field. On January 28, 2026, Inspectors Delgadillo and Johnson arrived at the property to inspect the concrete forms and metal connectors prior to the foundation pour for both sets of stairs. Both sets had been elevated on January 26.

As documented by photographic evidence, the inspectors walked directly past a commercial work truck bearing the Westside Landscape and Concrete, Inc. logo to access the stairs for Apt 200. Crucially, the "permit holder," Mr. Garcia Jr., was entirely absent from the active job site, leaving the work exclusively to unauthorized commercial laborers. Instead, the inspectors communicated solely with two individuals wearing Westside-branded apparel. (See Exhibit C)

This field reality fundamentally contradicts the legal status of Permit #25-1123. The City-altered declarations page explicitly marked the permit as exempt from Workers' Compensation laws. By directly interacting exclusively with unsupervised commercial employees of a corporate entity on an active job site where the structures had already been elevated by that crew, the inspectors possessed actual, visual confirmation that the Workers' Compensation exemption was fraudulent.

In the face of undeniable, onsite commercial labor and licensing fraud, the only lawful administrative remedy was the immediate issuance of a Stop Work Order. Yet, the inspectors willfully ignored these glaring State law violations, allowing the unlawful commercial labor to proceed unimpeded—a deliberate failure that completely undermines Director Werner’s later assertion that a Stop Work Order was unnecessary.

54 **7. The City Council’s Mandatory Appellate Duty Under Turlock Municipal Code Chapter 1-4**

This appeal is brought before the City Council pursuant to Turlock Municipal Code Chapter 1-4. While the Planning Commission and the Development Services Director may have erroneously determined that Mr. Garcia Jr. acted in “good faith,” the City Council operates as the final administrative appellate authority.

Under the framework of TMC Chapter 1-4, the City Council’s duty is to ensure the City’s actions comply with the law. The Council cannot legally ratify a Planning Commission decision that upholds a permit issued in direct violation of the California Health and Safety Code.

The documentary evidence is irrefutable: the Building and Safety Division possessed Actual Notice of the true property ownership structure, ignored those facts to issue a permit to a non-owner, and accepted a state-mandated declaration form that was both blank and digitally altered by City staff. The City Council must utilize its appellate authority under TMC Chapter 1-4 to invalidate Permit #25-1123, as upholding it would render the City openly complicit in the violation of State law.

55 **H. Failure of Executive Oversight and Unfulfilled Commitments**

The systemic administrative failures regarding Permit #25-1123 were escalated directly to the Interim City Manager’s Office, yet the executive response consisted of documented, unfulfilled commitments that only served to delay enforcement.

Following a two-hour onsite meeting on February 28, Interim City Manager Gary Hampton made direct commitments regarding executive intervention and enforcement. His commitments were promptly abandoned:

- **Failure to Address Perjury:** During our onsite meeting, Mr. Hampton explicitly stated he would contact the District Attorney to discuss the perjury aspect of the permit application. I formally documented this executive commitment in a March 2, 2026, recap email sent directly to him, stating: *“I note your intent to discuss the perjury claims—specifically the false “Owner-Builder” and “Workers’ Compensation” declarations—with the District Attorney, which you mentioned could take weeks. While I welcome the DA’s review, the City’s refusal to exercise its own administrative authority to revoke a fraudulently obtained permit remains a primary basis for my appeal.”* Despite this documented assurance from the highest executive office in the City—made one week before my initial appeal—no follow-up or confirmation of this escalation was ever provided.
- **Failure to Ensure Compliance:** On Saturday, February 28, Mr. Hampton emailed me, stating his intent to ensure: *“the replacement of stairs to your Mothers apartment are completed in accordance with building codes and engineered designs submitted to the City.”* On Sunday, March 1, he emailed me, stating: *“Rest assured the stair project at your mother’s apartment will be completed in full compliance of building codes and engineered designs.”* This executive assurance proved entirely empty. The subsequent construction deviated significantly from approved engineered designs, and the City later accepted a legally invalid retroactive waiver from an unlicensed drafter/designer to excuse the deviations.
- **Explicit Position:** Mr. Hampton’s March 1 email to me contained detailed language: *“The Engineer’s design does in fact call out pre-treated lumber for the project. My comment was that the contractor may be able to gain authorization from the Engineer to treat the wood post construction. However, from your previous communication with the engineer wherein he made it clear he has not authorized any deviation from the engineering plan - I doubt he*

will now accommodate a deviation request in this case. And to gain full treatment of the raw lumber, it really does require the lumber to be treated pre-construction.”

Rather than executing on these acknowledgments and commitments, the Interim City Manager simply abdicated. On April 10, when filing the Appeal Application, the City Clerk established an unsolicited timeline of “four to five weeks” to analyze my impending submission before the City Council meeting could even be scheduled. This protracted administrative stalling ensures the unlawful status quo remains active while executive accountability is continually deferred.

56 **IV. STRUCTURAL FAILURES: THE PHYSICAL CONSEQUENCES OF ADMINISTRATIVE COMPLICITY**

The physical hazards currently present at 290 N. Thor St are the direct, tangible result of the Building and Safety Division’s premature validation of an improperly authorized permit. By prioritizing the administrative cover-up of Mr. Garcia Jr.’s identity fraud, the City abandoned its core regulatory mandate: life-safety oversight. The resulting structural deficiencies do not require specialized engineering expertise to identify; they are glaring, objective, and documented deviations from the City’s own approved plans that inspectors willfully ignored.

57 **A. Foundational Deviations and Inspection Failures**

While Armando Garcia Jr. is a licensed contractor, his company (Westside Landscape and Concrete, Inc.) does not hold a C-5 classification for framing, and the physical results demonstrate a demonstrable lack of structural competence.

On February 10, 2026, Inspectors Enrique Delgadillo and Ethan Johnson conducted an onsite inspection of the stairs adjacent to Apt 200. Despite generating a corrections list, the inspectors completely failed to cite or rectify massive structural deviations from the City-approved plans, effectively rubber-stamping an un-engineered hazard.

The City-approved plans were materially violated in the following ways:

- **Un-Engineered Structural Positioning:** The approved plans were designed for a balcony projection of **11 inches**. The actual field projection is **14 inches**. This unauthorized three-inch overlap onto the lower section completely alters the Design Professional's engineered load distribution.
- **Un-Engineered Wood Type:** The stairs were constructed using Green Douglas Fir (GDF), visibly identifiable by the lumber tags left on the wood. Mr. Garcia Jr. possessed the approved plans for two months prior to construction but willfully chose not to acquire the specified engineered materials.
- **Un-Engineered Wood Size:** The approved plans explicitly mandate **4x4** posts and graspable **2x4** top rails. The unverified contractor unilaterally substituted **4x6** posts and **4x6** top rails, violating both the engineered design and basic graspability standards for life-safety guardrails.
- **Un-Engineered Foundation Deviation and Environmental Failure:** The approved, city-stamped plans strictly require all six posts for each set of stairs to be independently secured with individual **12x12x18** concrete forms. This specific, isolated footing design is highly critical given the structure's immediate proximity to the railroad zone, as independent posts provide necessary vibration damping and allow for proper load distribution against ground-borne "technical seismicity."
 - **The Unauthorized Slabs:** In direct violation of the approved engineering, the contractor installed a single **50x50** inch monolithic concrete slab for the upper four posts, and a separate **69x24** inch slab for the base landing posts.
 - **Altered Structural Dynamics:** By pouring a rigid slab instead of the engineered independent footings, the contractor eliminated the structure's ability to dissipate kinetic energy. Furthermore, the metal post connectors within the upper slab were cross-

positioned (two North-South, two East-West) in an installation that, when coupled with the unyielding slab, locked the timber framing into a rigid state against multi-directional vibrations.

- **The Physical Result:** Because the foundation was poured in direct violation of the Design Professional's design, the wood framing absorbed the full spectrum of the railroad's ground vibrations. As a direct result of this unauthorized installation, the structure has already suffered severe deterioration, with all six stringers now significantly split.
- **Unauthorized Stair Configuration (Arbitrary Field Modification):** The approved plans dictate a precise structural layout requiring five steps on the upper flight and nine steps on the lower flight. The contractor completely abandoned this approved design, unilaterally shifting a tread to construct four steps on the upper flight and ten steps on the lower flight.
- **Un-Engineered Structural Footprint (The Walkway Evasion):** Physical measurements reveal the motive behind this arbitrary stair reconfiguration: a substantial, intentional contraction of the structure's overall footprint to avoid demolishing existing concrete. The plans placed the new structure within a restricted **8-foot 4-inch** concrete perimeter with an **11-inch** balcony projection. The actual projection of the balcony is **14 inches** from the concrete edge, so the builder deviated by shifting a tread from the upper flight to the lower flight to evade shifting the short walkway in front of only the Apt 200 stairs further out.
- **Un-Engineered Cantilever Hazard (The Compounded Failure):** By artificially compressing the structural footprint to avoid the concrete issue, the contractor forced a dangerous realignment of the load-bearing supports. This created a cascading structural failure:
 - **Compressed Support Spans:** The designed overall span from the support posts to the base landing posts is **11 feet 10 inches**, but the physical build was compressed to **11 feet**

4 inches. Furthermore, the span between the upper and base landing posts was reduced from an engineered **8 feet 3 inches** with **nine treads** to **7 feet 9 inches** with **ten treads**.

- **The 17-Inch Cantilever:** When this foundational misalignment was combined with the unauthorized field change of adding an additional 11-inch tread to the lower flight, it created a severe, un-engineered **17-inch cantilever**.
- **Foundational Misalignment:** Additionally, to force the installation of 4x6 landing posts rather than the engineered 4x4 posts, the contractor misplaced the post metal connectors almost two inches from the base wood, rather than next to the wood.
- **Physical Deterioration:** This compounded failure left the bottom two steps dangerously unsupported. Consequently, the nose of the tread on the second step has already suffered a foot-long split (wood detaching from the tread).
- **Willful Disregard of the Corrections List (The “Mirror Build”):** The ultimate proof of the contractor’s bad faith and the City’s lack of regulatory enforcement occurred four days after this initial inspection. When construction finally began on the stairs for Apartment 200 on February 14, 2026, the contractor completely ignored the February 10 corrections list. He proceeded to construct a “mirror build” of the un-engineered stairs, duplicating every single structural failure, material deviation, and foundation violation on the second set of stairs. The City stood by and allowed the contractor to replicate a known, documented structural hazard on the specific apartment that initiated the entire enforcement action.

The resulting strain from these unauthorized, un-engineered construction methods has caused accelerated, documented deterioration. **In less than 90 days since construction**, both sets of stairs exhibit multiple deep cracks, with the stairs leading to Apt 200 faring worst. All six stringers (the primary diagonal structural supports) are already significantly split. Because the structural foundation itself was poured in direct violation of the approved plans, both sets of stairs—including the un-engineered concrete slabs—must be completely demolished and replaced.

58 **B. Un-Engineered by Administrative Decree**

59 **1. Questions Added to the Submitted Plans**

The Agenda Packet for the Planning Commission included the originally-submitted drafted plans that were marked up by the City for re-submittal. The internal audit log shows that the plans were first received on September 5, 2025, then marked as “E-PLANS NOT APPROVED” on October 14, and emailed back to the unauthorized applicant agent/drafter on October 17.

Questions and notes added to the plans by the City included, verbatim:

“2) The project shall be reviewed and stamped by a design professional”

“4) Please describe the extent of the repair in detail.”

“5) ContradictS the statement of the scope of work, New stairs or repair of the existing?”

“6) Please specify the stringers size and spacing supported by structural calculation.”

“7) How wood [sic] stringer will be attached to base plat?”

“10) Please show the max spacing to support live lode [sic] per ASCE”

“11) Please provide structural calculation structural connection details”

“12) All foundations and rebars shall be designed by a design professional”

“13) Specify all the Simpson connection at foundation and above foundation”

Plainly, a licensed design professional was not yet involved, though an unauthorized applicant agent/drafter submitted plans for approval. The re-submitted plans changed the Scope of Work from “Repair two existing sets of stairs” to “Demo and rebuild two existing sets of stairs to bring into compliance”.

Notably, my formal complaint for Apt 200 in July 2025 did not involve the adjacent stairs. But the “Demo and rebuild” on the plans regarded the unpermitted replacement of both sets of stairs in August 2025, described on the plans as not in compliance. Also notable is that the original plans did not mention wood type.

2. Plan Check Delayed at Inception

The Permit Application form for #25-1123 facilitated an immediate delay of the plan check process. At the end of the form, the applicant was allowed to acknowledge that a marked checkbox would cause a delay, such as the marked checkbox that “Structural Calcs” were not provided. The City then had to add to the submitted plans that structural calculations were needed, when the plans should not have been received as a professional draft without them. This occurred because a licensed design professional was not yet involved with the project, though the owner knew the property was an apartment building.

Another delay from inception was that the application was received without payment. The internal audit log shows that Staff Services Technician Kayla Scully noted on September 5: “EPLANS UPLOADED EMAILED OSVALDO FOR PAYMENT”. “Osvaldo” is the unauthorized applicant agent/drafter’s first name. The next entry by her was “STAIR REPAIR - PER COMPLAINT RECEIVED CHECK 9/24”. As a reminder, that is the exact date Inspector Delgadillo set in his August 13 email as the deadline, which he communicated to Staff Services Analyst Hammack.

The Permit Application contains a requirement for submittal: “1. A plan check deposit is required with this application (payable by cash or check).” The Building and Safety Division deliberately coordinated a process delay involving a life-safety complaint.

3. Intentional Bypass of Engineering Review

The structural failures documented in the previous section are not merely the result of contractor incompetence; they were administratively facilitated by the Building and Safety Division.

- **Inhibited Review Routing:** An internal audit log reveal that on November 24, 2025, Staff Services Analyst Kimberly Hammack directed staff that the resubmitted plans were not to be reviewed by an engineer. The staff note two days before the plans were approved states: “EPLANS UPLOADED IN HOUSE NOT ROUTED TO ENG, PER KH”. This deliberate order bypassed and effectively overruled a prior disapproval issued by the Engineering

Division on October 14: “FROM ENG - NOT OK NEED REROUTE”. During an in-person meeting on February 9, 2026, Ms. Hammack confirmed she personally issued this directive.

- **Acceptance of “Design Professional Determination” from Applicant Agent/Drafter:** As detailed below, Inspector Delgadillo accepted a letter from Osvaldo Reyes dated April 6, 2026, using it for his “Final Inspection” of the stairs project, which suddenly waived the required wood species. Most significantly, this letter, received as a “Design Professional Determination” did not address any other field deviation.

62 **4. Waiver of Mandated Wood Species**

On April 13, 2026, Inspector Delgadillo wrote on the Job Card for Permit #25-1123: *“Final inspection was performed on 4-10-26 - Detail for attachment of stairs to balcony in folder & letter to alternative treatment of non-pressure treated wood - ED”*

The referenced letter is highly questionable:

- The signature is simply a cursive font, not a digital image of a signature or handwriting.
- Mr. Reyes is neither a licensed architect nor an engineer, yet his letter *“serves as a Design Professional Determination”*. He is not the Design Professional of Record. Legally, he is the unauthorized applicant agent and drafter of the plans. The actual licensed Design Professional, Nicholas Britt, stated via email on February 16, 2026, known to City staff and detailed in my initial appeal: *“I did not authorize any of the field changes described in your email, nor was I consulted regarding any substitutions or deviations from the approved plans.”*

The timing is suspicious:

- **February 10:** Inspector Delgadillo's correction list did not mention wood type.
- **March 4:** Ms. Hammack's modified correction list explicitly stated that "Per approved plans..." the wood type must be in compliance, which excluded the Green Douglas Fir used. (See Exhibit V)
- **April 4 (Saturday):** Armando Garcia Jr. ripped the Stop Work Order notices off of the two sets of stairs. I recorded him ripping the first notice off and photographed him removing the second. The City acted as though the language of the notice was irrelevant—*"Removal or defacement of this notice without authorization is a violation of California Penal Code Section 616. Punishable by a fine of up to \$100 or imprisonment for up to one month, or both."* After police officers arrived onsite when Mr. Garcia Jr. ripped the first notice off, I overheard him say that Inspector Delgadillo told him that the Stop Work Order was lifted by the Planning Commission's April 2 ruling. At that April 2 meeting were several staff, including Ms. Werner, Ms. Quintero, Ms. Hammack, and Mr. Delgadillo.
- **April 6 (Monday):**
 - **9:18 AM:** Armando Jr.'s uniformed crew arrived at the property.
 - **9:47 AM:** I received a call-back from the Turlock Police Department. Officer S. Arroyo conveyed that she spoke with Director Werner that morning and was informed that the Stop Work Order was lifted (CallForService # 260960071). At the exact minute, 9:47 AM, Mr. Garcia Jr. arrived at the property. After he left, his employees covered up the two sets of stairs with "Chestnut Brown" Thompson's WaterSeal, acting with such incompetence that they sprayed the sealant directly over the 'TOP CHOICE® GDF' lumber tags on the Green Douglas Fir, leaving them clearly visible. (See Exhibit E)
 - **11:29 AM:** Director Werner emailed Mr. Garcia Jr.: *"Effective April 3, 2026, work associated with Building Permit #25-1123 may resume. All work shall continue to*

comply with the approved plans...” This post-dated email is evidence that she deemed it necessary to issue such a statement, knowing that Mr. Garcia Jr. had already removed the notices from the property and police officers were involved. She copied her email to the Interim City Manager, Chief of Police, former City Attorney, among others. Then, at some point dated that same day,

- **Undocumented Time:** Osvaldo Reyes allegedly issued a letter (dated April 6), entirely excusing the wood type for the stairs. As revealed via PRA request #26-224, the grainy image, wholly-digitally created document was provided in a manner that purposefully avoided a digital timestamp, making it impossible to determine if it was received before or after Director Werner’s 11:29 AM email authorizing the resumption of work, that explicitly stated: *“All work shall continue to comply with the approved plans...”*

On April 16, I placed the Design Professional of Record, Nicholas Britt, on actual notice via email, requesting clarification. I followed up on April 22, and again on April 26. Though he had replied to me on February 6 and 16 regarding his responsible control and disavowal of described field changes, he chose not to reply for this.

The letter was accepted by the Building and Safety Division almost two months after the Architect’s written disavowal of the use of Green Douglas Fir; and the letter notably failed to address any other unauthorized field change. Consequently, it leaves every other structural deviation from the approved plans completely unmitigated and legally unauthorized.

63 **5. The Staged February 10 Tenant Notice**

On the morning of February 10, 2026—the day immediately following my February 9 meeting with City staff where I further exposed the permit’s invalidity—a notice allegedly from New Bridge Management was taped to the Apt 200 window by Mr. Garcia Jr. without ringing the doorbell.

This conspicuous, non-logo, unsigned, 9:04 AM placement, addressed to ‘Dear Valued Resident,’ claimed to advise of “scheduled repair work” to replace the stairs within a four-hour window on February 14. In reality, it took two full days, and the handrail was installed three weeks later.

Furthermore, posting this notice just 40 minutes before the building inspectors arrived exposed it as theatrical rather than a good-faith tenant notification—a facade made even more obvious by its grossly inadequate timeline.

64 C. The “Practice Stairs” Fabrication: Abandonment of Code Enforcement Priorities

The timeline of the City’s physical inspections further demonstrates that the Building and Safety Division subordinated its regulatory authority to the convenience of the contractor. The permit was explicitly flagged “**PER COMPLAINT**,” generated specifically by the severe, documented life-safety hazards of the stairs leading to Apt 200 in July 2025.

Therefore, standard code enforcement protocols dictate that repairing the subject of the complaint should be the immediate, non-negotiable priority. Instead, the contractor was allowed to bypass the stairs for Apt 200 and begin construction on the stairs for Apt 202 and 204.

In an attempt to justify this severe enforcement mis-prioritization, the April 2 Staff Report offered a defense that is structurally and administratively indefensible:

“Construction and inspection of the stairs at 290 N. Thor Street, #202 began first to allow the contractor to work through any issues with the building staff prior to beginning construction of the stairs leading to 290 N. Thor Street, #200.”

This official City justification is an explicit admission of regulatory failure:

- **Tenants as Test Subjects:** The City explicitly admitted to allowing an unqualified contractor to use the sole ingress/egress points for the residents of Apt 202 and 204 as a testing ground to “work through issues.” In commercial building safety, there is no allowance for “practice stairs” on an occupied multi-family dwelling.

- **Admission of Contractor Incompetence:** If a contractor possesses City-approved, engineered plans, there is nothing to “work through” with building staff; the engineering dictates the construction. By admitting the contractor needed a trial run to figure out the construction process, the City conceded they knew he lacked the structural competence to execute the approved plans.
- **Dereliction of the Complaint:** By indulging the contractor’s desire to practice on a different part of the building, the City willfully allowed the severe, complaint-generating hazards at Apt 200 to persist without intervention.

The violator was effectively allowed to dictate the terms, timeline, and location of the code enforcement process, utilizing innocent tenants as trial-and-error subjects.

Of all the many emails and letters communicated about 290 N Thor St, none expose the City’s dereliction regarding inspections than the following two emails. These were sent on August 6, and no on-property inspection occurred by any City staff until the end of January 2026:

* * * * *

[To kblancarte@turlock.ca.us and building@turlock.ca.us on August 6, 2025:]

Hi Kelly,

This regards new stairs that were built today for Apt. 200 at 290 N. Thor St. by employees of Westside Landscape & Concrete, Inc. in Newman.

The owner of Westside is Armando Garcia, Jr., a beneficial owner [**California Civil Code § 1946.2(b)(2)(A)(viii)(V)**] of the property through a family trust, and someone who put my mom in a difficult position by demanding a 35% rent increase or face consequences back in February.

The other stairs were replaced yesterday instead of prioritizing the ones complained as dangerous.

At 7:26 a.m. today, I looked out the kitchen window and saw that the stairs for the apartment were partly gone, and we were given no notice whatsoever. One of the guys came up to the door after seeing me photograph the scene, and he said that Armando told him to come and just start demolishing, that he had given notice. I recorded that comment with my iPhone.

My 81-year-old mother took an afternoon nap, then got up and we walked down to inspect the new stairs. She or I both couldn't hold on to the railing because it is so high and wide.

At ground level, the railing is 54 inches high (4-1/2 feet), with an almost 6-inch flat top. So, as she went down first, her hands simply rested on the flat area of the railing, with no support. Then, when she walked up, the very first time, she fully fell backwards into me, because she couldn't hold onto the railing.

Also, please don't forget the light between the stairs has to be replaced, remaining on at all times at night, because it doesn't engage when coming down the stairs.

Thanks for all your help.

Shawn Sheridan

290 N. Thor. St., Apt. 200

Turlock, CA 95380

On behalf of tenant Dianne Sheridan

* * * * *

[Follow-up email with eight (8) attached photos on August 6, 2025:]

Kelly,

This is in addition to the detailed email I sent to you earlier today.

Tonight I looked underneath the main frame of the mid-part of the new stairs, and was shocked at what I found. Attached are several photos.

The stairs were built today after more than seven hours of work by employees of a landscaping company owned by a beneficial owner of the property.

Shawn Sheridan

290 N Thor St., Apt 200

Turlock, CA 95380

* * * * *

The email where Ms. Blancarte confirmed receipt was also included for PRA request #26-22. Her August 7 reply stated: *“Shawn, Thank you for reaching out and for sharing the attached photos. I’ve forwarded your emails to the inspector overseeing this case and have added your updates to the existing case file...”*

For reference, the emailed images are named: IMG_0759.jpeg, ...0767..., ...0771..., ...0772..., ...0773..., ...0774..., ...0775..., and ...0777....

On August 13, when Inspector Delgadillo spoke with Mr. Garcia Jr. on the sidewalk in front of the building for fifteen minutes, never setting foot on the property, it was impossible for him to see from afar what I photographed underneath the landing platform. However, standing at a distance of only 20 feet with a clear, diagonal view of the base of the stairs, he gained undeniable, firsthand visual knowledge of the glaring life-safety hazards: the complete absence of a handrail and an unusually high, non-graspable guardrail featuring a 6-inch flat top.

65 **D. Balcony Frame**

66 **1. Intentional Bypass of Inspections and State Law**

No Building Inspector conducted an on-property inspection of the original stairs complained about in July 2025, nor the more dangerous stairs constructed in August 2025 (no handrail or graspable guardrail), nor the “permitted” set built for Apt 200. The only on-property structural inspection prior to the “Final Inspection” (April 10) was for the new adjacent set.

I provided the City with photographs of the newly-built stairs (February 14-15) and information about the field changes, after obtaining a copy of the Approved Plans via a Public Records Act request. Fifteen days later, on March 4, Ms. Hammack—who is not a certified building inspector—emailed the contractor a correction list involving the Apt 200 stairs, containing an explicit admission of regulatory negligence:

“The following items have been noted and are based solely on photos and information provided to our office. This may not be an accurate or complete list.”

Her lengthy email, which was provided to the Planning Commission on April 2 by Ms. Werner, proves that the City was issuing official structural corrections based strictly on photographs and information provided by a tenant’s legal agent, rather than deploying a certified inspector to physically assess an active, un-engineered construction site.

As for the balcony frame, the City did not assess the condition for Apt 200 prior to April 10, because Interim City Manager Hampton pointed out during his onsite visit (February 28) that a horizontal stucco panel prevented visual inspection of the structural wood behind the header board for the stairs. The panel wasn’t removed until April 4 by a Westside employee.

Furthermore, I emailed a demand for enforcement of California Health and Safety Code § 17973 (referred to as the “Balcony Inspection Law”), which requires a third-party inspection, paid for by the owner, with a mandated report submitted to the City. HSC § 17973(g)(1) dictates that repairs must comply with “the recommendations of a licensed professional described in subdivision (a)”. Because the mandatory independent inspection of the balcony never occurred, or was grossly insufficient, that report does not yet exist.

2. Contractor’s Cover-up of the Balcony Dilapidation

While the primary balcony frame protruding from the building for Apt 200 appears to be in good condition, there is a separate section of wood connected to that frame spanning only the width of

the stairs. It is this specific span that is currently a visibly critical life-safety hazard, fully split from one end to the other directly above the eight bolts connecting the stairs' header board.

In both August 2025 and February 2026, this split balcony wood was fully exposed, yet the contractor chose not to repair it. This pre-existing split is verifiable because the exterior face of the wood, including a visible portion of the split from the top step, was painted at least ten years ago. The ultimate hazard is the contractor's installation of load-bearing bolts directly below that long-term split.

68 **V. PROCEDURAL IMPROPRIETIES**

The Planning Commission's Resolution No. 2026-07, denying my initial appeal, acknowledged the true property owner(s), yet nothing whatsoever of the permit documents reflects that reality. By ratifying this resolution, the Planning Commission did not resolve the administrative failures surrounding Permit #25-1123; they compounded them, exposing a deeply flawed and predetermined appellate process.

The April 2, 2026, hearing was a procedural failure built upon a compromised administrative record. The City Council must recognize that the Planning Commission's decision was structurally compromised by the following procedural improprieties.

69 **A. The Resolution's Fatal Contradiction of Legal Ownership**

The official heading of Resolution No. 2026-07 explicitly lists the Property Owner as "Armando & Maria Garcia, Trs, Garcia 2017 Living Trust". This is an adverse legal admission by the City. The Planning Commission formally recognized the Trustees as the true property owner(s), yet simultaneously voted to uphold Building Permit #25-1123—a document that was issued to individuals, never mentions a Trust, and lacks the signatures of the legally recognized Trustees. The Commission utilized its appellate authority to validate a permit issued to the wrong legal entity.

B. The Disavowed Staff Report and Lack of Administrative Transparency

The Planning Commission's April 2, 2026, decision relied exclusively on a Staff Report that is fundamentally compromised. While the document formally identifies Planning Manager Katie Quintero as the preparer, Ms. Quintero explicitly disavowed authorship in an April 17, 2026, correspondence, stating: "I did not prepare the staff report, it was prepared and presented by Adrienne Werner." (See Exhibit X)

This creates a fatal defect in the administrative record. A quasi-judicial appellate body cannot lawfully render a decision based on a Staff Report that lacks a verified, transparent chain of custody. By attempting to shift accountability to the Development Services Director after the hearing, the Planning Manager has undermined the reliability of the evidence presented to the Commission.

Furthermore, this lack of transparency is consistent with the undisclosed, non-public nature of the process leading up to the hearing. Documentation confirms that despite the heavy workload of publishing the agenda, the Planning Manager coordinated a private, non-public meeting with the Commission Chair regarding the agenda items—an interaction that, in the context of the subsequent disavowal of the staff report, suggests a process prioritized toward a specific, pre-determined outcome rather than impartial, objective planning review.

Ms. Quintero was certainly part of the process, because at 3:07 PM on Friday, March 27, the day the Agenda Packet was posted online, she emailed Commissioner Chair Constance Anderson and Director Werner: *"Crazy couple of days, working on getting the agenda out... Katie"*.

C. The Fabricated Timeline and Predetermination of Outcome

The Staff Report presented to the Commission contained a willfully fabricated timeline designed to conceal the City's predetermination of the appeal. The report falsely claimed that the Building and Safety Division issued a Stop Work Order *"In response to the receipt of the March 9, 2026 appeal submitted to the City Clerk's office"*.

This is demonstrably false. Internal communications reveal that on March 4, 2026—five days *before* the appeal was filed—Staff Services Analyst Kimberly Hammack informed the contractor that an appeal had been filed and that work would be “on hold” until the Planning Commission reached a determination on April 2. Furthermore, Ms. Hammack explicitly instructed the contractor to prepare to resume work *after* the April 2 hearing. (See Exhibit V)

This internal directive proves the Building and Safety Division had predetermined the outcome of the April 2 hearing weeks in advance. To cover this up, Director Werner later claimed in a recorded April 7 conversation that the eventual March 10 Stop Work Order was not a mandatory enforcement action, but an “accommodation” that the City Manager executed on his own. However, the official Stop Work Order was signed directly by Director Werner herself, not the City Manager. The City deliberately delayed issuing the formal order until the day after my filing to manufacture an ‘active’ status quo for the contractor, while internally treating the appellate hearing as a mere administrative speed bump.

Beyond the manipulated timeline, an examination of the physical Stop Work Order presented to the Planning Commission reveals it to be a fabricated document. As mentioned earlier regarding PRA #26-165, the Agenda Packet shows that the single Stop Work Order notice provided to the Commission bears a distinctly different signature by Director Werner than the actual notices physically posted at the property, which were themselves uniquely signed. The existence of multiple, uniquely signed versions of a singular enforcement action, to a singular project, proves that the City did not provide a true and correct administrative record to the appellate body; they provided a recreated document. This invalidates the City’s presumption of administrative regularity and proves the file was actively curated to deceive the Commission.

On April 20, I emailed the Interim City Manager, copied to City Council members, the audio and transcript of a conversation I had with Director Werner on Monday, March 30, at the upstairs public counter beginning at 4:26 PM, ending at 4:38 PM. Planning Manager Quintero arrived upstairs alongside Director Werner, looked at me without speaking, then turned and returned downstairs. I was there to file ‘Addendum III’ for my Appeal. Deputy City Clerk Christina

Cabada stamped it as filed at the end of that conversation. Via a Public Requests Act request, I learned that Ms. Quintero then emailed Ms. Anderson at 5:02 PM: *"Hello! Do you have time this week to meet briefly about the agenda for Thursday? Katie"* They met the next day at City Hall.

72 **D. The Willful Suppression of Addendum III**

Prior to the hearing, I submitted 'Addendum III' to explicitly correct the severe misstatements of fact in the Staff Report and provide amended legal findings for Draft Resolution 2026-08. This addendum provided the Commission with documented proof that Permit Administration unilaterally bypassed a mandatory Engineering Division review after the plans were initially rejected, and that the independent Architect of Record explicitly disavowed the structural deviations on the replacement stairs.

Rather than confronting this evidence, the Planning Commission ignored the addendum entirely, adopting Resolution 2026-07 as originally drafted by staff without a single factual correction. A regulatory body cannot claim to conduct a fair hearing while failing to consider documented, written evidence of bypassed life-safety protocols.

73 **E. The Misdirection of Appellate Jurisdiction**

The Planning Commission was manipulated into ruling on a matter outside its legal purview. At the April 2 hearing, Director Werner falsely testified, and the Staff Report incorrectly stated, that the Commission was ruling on administrative "decisions" made personally by her and the Interim City Manager.

This was a calculated jurisdictional misdirection. Written records prove that the February 13 directive to allow construction to proceed was explicitly dictated by the City's "legal team". Under Turlock Municipal Code § 1-4-01(a), the Planning Commission has no legal authority to review or hear appeals regarding decisions made by the City Attorney's Office. By deliberately positioning herself as an isolated decision-maker rather than acknowledging the City Attorney's active orchestration, Director Werner obfuscated the true nature of the City's actions and induced the Planning Commission to execute an appellate ruling it lacked the statutory authority to make.

74 **F. The Administrative Veto of Structural Engineering**

The Planning Commission upheld a permit that actively bypassed the City’s own life-safety protocols. Internal routing records prove that the City’s Engineering Department explicitly rejected the construction plans on October 14, 2025. However, rather than requiring the applicant to satisfy the engineers’ structural requirements for a load-bearing exterior staircase, Permit Administration staff unilaterally bypassed this safety check on November 24, 2025, entering the official note: “NOT ROUTED TO ENG.”

The Planning Commission utilized its appellate authority to validate a permit where administrative clerical staff successfully overruled the City’s own structural engineers.

75 **G. Substitution of an Unauthorized, Unlicensed Agent for the Architect of Record**

As detailed in Section IV.B.4, the City accepted an April 6, 2026, “Design Professional Determination” letter to excuse structural field deviations that had been explicitly disavowed by the Architect of Record. Procedurally, the City’s acceptance of this letter violated its own documented enforcement mandates.

On March 4, 2026, Staff Services Analyst Kimberly Hammack issued a formal, written directive to the contractor establishing the regulatory requirement for the project: *“Please note: Any deviations from the approved plan set must be reviewed and approved by the architect or engineer of record and the City.”*

Despite this explicit directive, the City finalized the permit based on a waiver authored by Osvaldo Reyes, the unlicensed permit agent. Furthermore, California state filings show Mr. Reyes organized “OZR DRAFTING & DESIGN LLC” on July 30, 2025. However, when conducting onsite measurements for this project on August 25, 2025, he wore a shirt bearing the logo of an “Ozad” company—an alias with no legally verifiable corporate registration.

By accepting a structural waiver from an unregistered draughtsman, the City explicitly violated its own March 4 directive and bypassed the mandatory oversight of the licensed Architect of

Record. Under the California Architects Practice Act, a licensed architect cannot legally delegate structural modifications to an unauthorized, unlicensed agent.

76 **H. The April 6 Coordination and Physical Cover-Up**

The timeline surrounding the acceptance of this fraudulent “Design Professional Determination” exposes active complicity in the destruction of evidence. On the morning of Monday, April 6, 2026, the Turlock Police Department confirmed that Director Werner had lifted the Stop Work Order. At 11:29 AM, Director Werner emailed Mr. Garcia Jr., officially stating work could resume and *“shall continue to comply with the approved plans.”*

However, the approved plans explicitly excluded the Green Douglas Fir the unverified contractor had illegally installed. Knowing this, the contractor’s crew arrived that same morning and sprayed “Chestnut Brown” Thompson’s WaterSeal directly over the unapproved lumber, attempting to hide the ‘TOP CHOICE® GDF’ tags. The City lifted a Stop Work Order so an unverified contractor could physically paint over the evidence of unapproved materials, and then accepted a legally void waiver from an unlicensed agent to excuse it.

77 **I. The Fabrication of the “Good Faith” Defense**

The Staff Report presented to the Planning Commission relied entirely on the assertion that the Mr. Garcia Jr. acted in “good faith.” At the April 2 hearing, Director Werner stood at the podium and explicitly testified to the Commission that Mr. Garcia Jr. operated in good faith when filing his updated paperwork.

This testimony was a direct misrepresentation of the City’s own internal communications. Internal emails prove that on February 13, 2026, the Building and Safety Division—acting under the direction of the City’s “legal team”—contacted Mr. Garcia Jr. and literally dictated his defense to him. City staff explicitly instructed him to submit: *“A quick letter stating that you filled out the original owner builder form in good faith...”* The Planning Commission was manipulated into denying my appeal based on a “good faith” defense that the City did not

independently discover, but actively orchestrated, scripted, and fed to the contractor to retroactively shield a jurisdictionally void permit.

78 **J. The Facially Defective and Contradictory July 11 Complaint Form**

The Planning Commission's Resolution No. 2026-07 explicitly cites a July 11, 2025, complaint as the genesis of this entire enforcement saga. To support this timeline, the City included a Complaint Form (Case Number: 25-0470) in the official Agenda Packet. However, not only was July 11 not the actual date of the initial complaint, but the document itself is facially defective, incomplete, and contains glaring contradictions that the Planning Commission either overlooked or willfully ignored.

First, despite the form explicitly detailing structural hazards—specifically noting “BASE OF STAIRS ARE DRYROT AND DETERIORATING”—Division staff marked the “No” checkbox next to “Building Permit Required”.

Second, the City relies on this form to establish a timeline of diligent enforcement, yet the “Action Taken” section is conspicuously blank. It fails to document the inspection date, the conditions noted, the required building permit number, or the August 12 second warning letter.

Finally, while the form acknowledges the complaint was received “IN PERSON & EMAIL,” the Complainant Address and Phone fields are left entirely blank. This demonstrates either profound administrative negligence or a deliberate sanitization of the record to obscure my early and continuous warnings to the City.

By adopting the Resolution, the Planning Commission utilized its appellate authority to uphold a complex, fraudulently obtained building permit under the guise of supporting diligent code enforcement, despite being provided with an intake form that actively contradicts the City's own defense and lacks basic enforcement data. The Commission ratified a process built on foundational administrative negligence, further demonstrating that the April 2 hearing was a

coordinated exercise to protect the Building and Safety Division rather than an objective review of the evidentiary record.

79 **K. Active Suppression of the Initial June Complaint Record (PRA #26-276)**

The City's reliance on the July 11 Complaint Form (Case Number 25-0470) to establish its timeline is not merely a clerical error; it is an active administrative cover-up. On May 2, 2026, Appellant filed PRA request #26-276, specifically demanding the initial complaint form that preceded the July 11 document. This request referenced an internal June 25, 2025, email thread explicitly confirming that an active case already existed prior to July.

The City's handling of this specific request in the days leading up to this appellate filing demonstrates a coordinated, bad-faith effort to suppress the foundational record:

- **Administrative Deflection:** On May 5, the City inexplicably assigned the records request to the Turlock Police Department, attempting to bury a Building and Safety Division code enforcement inquiry under law enforcement bureaucracy.
- **The Legal Shield:** On May 7, at 9:17 AM, Appellant explicitly clarified in the NextRequest portal that the term "case" referred strictly to Development Services, not a police matter. Exactly ten minutes later, at 9:27 AM, anonymous staff quietly added the "City Attorney Department" to the request.

By immediately escalating a routine request for a June 2025 intake form to the City Attorney, the Development Services Department is signaling that they cannot produce the true initial complaint without collapsing their fabricated July 11 enforcement timeline. The City is actively maneuvering to shield the foundational documents of this appeal behind legal bureaucracy, further proving the administrative record provided to the Planning Commission was intentionally sanitized.

L. The “Anyone May Apply” Sleight of Hand and Forged Signatures

The Staff Report attempted to minimize Armando Garcia Jr.’s unlawful assumption of a building permit by employing a deliberate bureaucratic sleight of hand. The report stated: *“Anyone may apply for a building permit; however, permits must be issued to the property owner of record, a licensed contractor, or an authorized agent of either...”* By leading with “anyone may apply,” the City intentionally blurred the line between the administrative act of acting as a courier and the legal act of assuming liability. Mr. Garcia Jr. did not act as a mere courier. On the original December 9, 2025, form, he left the “Authorization of Agent” section completely blank and fraudulently signed directly on the “Signature of property owner” line for the Owner-Builder Acknowledgment” form.

Furthermore, the Staff Report states that authorization is verified by a notarized document or an ID. The City failed to obtain a notarized document authorizing Mr. Garcia Jr. to act on behalf of the Garcia 2017 Living Trust. Instead, when this fraud was exposed, the City accepted “updated” forms on February 18, 2026. However, handwriting analysis proves these substituted forms were physically written by Mr. Garcia Jr. himself, expressly violating the sworn declaration that the owner “personally filled out the above information.” The Planning Commission ratified a defense built on linguistic misdirection to excuse undeniable documentary forgery.

M. The Statutory Bait-and-Switch and Ultra Vires Ruling

The administrative record demonstrates that the City engineered a procedural hybrid to insulate Permit #25-1123 from actual scrutiny, fundamentally misapplying the statutory appellate pathways defined in Turlock Municipal Code (TMC) § 1-4-01.

TMC § 1-4-01(a) grants an appellant the right to appeal “Any action or decision” of the Building and Safety Division to the Planning Commission. My appeal strictly targeted the *action* of the Division—specifically, the improper issuance and active maintenance of a jurisdictionally void permit. However, the Staff Report entirely erased this “action” component. It drastically narrowed the Commission’s authority, falsely instructing them that their sole role was to review

the executive “decisions” made by the Director of Development Services and the Interim City Manager on February 9, February 27, and March 2.

Furthermore, instructing the Commission to review a February 9 decision directly violated the strict ten-day limitation established by TMC § 1-4-02 (Time for appeal). Since my appeal was filed on March 9, any challenge to a February 9 decision was statutorily time-barred; the City retroactively folded this expired date into the Staff Report to artificially pad their defense.

This was a calculated bait-and-switch. Under TMC § 1-4-01(b), appeals regarding the decisions of “any official of the City” route directly to the City Council, and subsection (b) explicitly carves out and forbids matters governed by subsection (a). By hijacking the subsection (a) pathway and instructing the Commission to solely review executive decisions that fall exclusively under subsection (b), the administration shielded the Building and Safety Division’s foundational errors from any actual scrutiny, as well as shielded “any action or decision” by Director Werner since at least December 2025. The Planning Commission was manipulated into executing an *ultra vires* ruling over executive decisions it had no statutory authority to review.

82 **N. Failure of Fair Notice and Ambiguity in Abatement**

The procedural failures surrounding this permit trace back to the City’s earliest communications. On August 12, 2025, the Building and Safety Division sent a second warning letter regarding the property. However, the City issued an incomplete and vague notice by citing “TMC 8-1-102(d)” —an adoption statute—rather than identifying the specific substantive violation code (such as IPMC 304.10, which governs the structural safety of stairways).

By citing an adoption statute rather than a substantive violation code, the City deprived the property owner of adequate legal notice regarding the exact defect. Without a specific code section defining the violation, it is impossible to determine the precise scope of work required to legally abate the alleged nuisance. The Planning Commission upheld an enforcement process that allowed the City to arbitrarily shift compliance goalposts, thereby undermining institutional accountability from the very issuance of the citation.

O. The Improper Conflation of the Filing Timeline

On Appellant's initial March 9 Appeal Application, Appellant entered "02/27/26 (Building Division); 03/02/26 (City Manager)" under the field labeled "DATE OF DECISION." This entry was made exclusively as a simple municipal code fulfillment to satisfy the strict ten-day filing limitation established by TMC § 1-4-02 (Time for appeal). It served solely as a chronological marker to prove my filing was timely.

However, the administration willfully twisted this basic procedural compliance. Director Werner and the resulting Staff Report took these dates and falsely presented them to the Planning Commission as the *entire subject matter* of my appeal. They claimed that because I listed those dates to establish a timely filing, my appeal was therefore exclusively focused on those specific executive decisions. This was completely false and entirely contrary to the extensive documentation I submitted.

By improperly conflating a timeline marker with the substantive subject of the appeal, the City manufactured a pretext to shield the Building and Safety Division. They misused my compliance with the statute of limitations to obscure the actual focus of my appeal: the underlying, ongoing *action* of the Division in issuing and maintaining a jurisdictionally void permit. This was a calculated administrative distortion designed to misdirect the Planning Commission and limit their scope of review.

P. The Willful Omission of the Mid-February Cover-Up

The "Background" section of the April 2 Staff Report presents a deliberately sanitized timeline designed to create a false narrative of unbroken permit validity. The report claims that following my February 9 meeting, City staff affirmed the permit was valid. It then claims that on February 13, the City Attorney's office concluded "*there was nothing to warrant stopping the construction,*" and that on March 2, the Interim City Manager similarly affirmed its validity.

What the Staff Report willfully omits from this chronological narrative is the City's own undisclosed administrative coordinating to retroactively rescue a jurisdictionally void permit.

The report conveniently hides the fact that on February 13—the exact same day the City Attorney allegedly cleared the project to proceed—the Building and Safety Division actively emailed the “permit holder” to solicit a “*quick letter*” claiming “*good faith*.” Furthermore, the Staff Report entirely omits the City’s subsequent acceptance of that manufactured letter on February 17, and the receipt of the substituted, fraudulent Owner-Builder forms on February 18. By actively suppressing this mid-February scramble from the “Background” timeline, the administration deceived the Planning Commission into believing the permit survived executive scrutiny on its original December 9 merits. The City presented a timeline of continuous, unquestioned validity while hiding the fact that they spent mid-February secretly orchestrating a paper trail to cover their own jurisdictional failures.

85

Q. The Deception of the Interim City Manager

The Building and Safety Division’s mid-February cover-up was so thoroughly insulated that they actively deceived their own executive leadership. The Staff Report claims that after a discussion with me on March 2, 2026, the Interim City Manager “also affirmed the validity of the building permit”. The report’s timeline inherently implies that his executive affirmation was based on the “updated” February 17 and 18 Owner-Builder Acknowledgment and Authorization of Agent forms.

Furthermore, documentary evidence obtained via PRA request #26-208 confirms these were not separate, organic submissions. The City provided a single Microsoft Word document containing both forms, proving this was a unified, orchestrated paperwork package. The fact that a single electronic file claims the exact same individual (Armando Garcia Sr.) signed one section on February 17 and another section on February 18—using completely different handwriting for each signature—exposes this as an actively coordinated forgery rather than independent, good-faith compliance.

This is a fabricated timeline. During a five-minute phone conversation via mobile phones on March 19, 2026, Interim City Manager Hampton explicitly confirmed to me that he was unaware of this “updated” documentation from the Garcias when he made his March 2 decision.

This admission proves that the Building and Safety Division solicited backdated, fabricated paperwork to secretly patch a jurisdictionally void permit, and then willfully withheld that highly irregular administrative maneuvering from the Interim City Manager before he rendered an executive decision on it. More egregiously, Director Werner accompanied him, along with Chief Hedden, during the March 2 onsite visit, yet actively withheld that information. The Planning Commission was led to believe the permit survived rigorous executive scrutiny, when in reality, the Building and Safety Division, and Director Werner specifically, actively shielded the true, defective condition of the permit—and the existence of their orchestrated, perjurious cover-up—from their own City Manager.

86 **R. The Calculated January 16 Alteration of Municipal Forms**

The City's complicity in this permit fraud extends to the active, calculated alteration of official municipal forms to protect the contractor. On January 9, 2026, I provided executive leadership with an emailed "URGENT EVIDENTIARY SUPPLEMENT" explicitly exposing material misrepresentations and procedural irregularities regarding the permit. Exactly seven days later, on January 16, the City quietly generated a newly revised "Owner-Builder Acknowledgement / Authorization of Agent to Act on Property Owner's Behalf" form.

While this new form added language citing Health and Safety Code § 19825, it deliberately omitted legally mandated fields. Most egregiously, HSC § 19825(a) dictates that a City may require additional information but cannot omit the statutorily mandated fields, which includes the "Address of Authorized Agent". The City's new January 16 form removed this address line.

This omission was not a clerical error; it was a targeted deletion. For Permit #25-1123, the alleged property owner and the unlicensed commercial contractor share the exact same address. By intentionally deleting the "Address of Authorized Agent" line from their newly revised form, the Building and Safety Division actively destroyed the exact statutory mechanism that would have documented and exposed Armando Garcia Jr.'s fraudulent crossover between agent and commercial contractor. The City literally rewrote its own paperwork to permanently obscure the contractor's tracks.

87 **S. The Acceptance of Facially Falsified Documents as a “Good Faith” Cure**

The Staff Report attempts to legitimize Permit #25-1123 by claiming that on February 18, 2026, “updated” documentation was provided to confirm the permit was properly authorized. The Planning Commission accepted this as a valid, good-faith cure. However, physical handwriting evidence proves these “updated” submissions are fundamentally falsified on their face (See Exhibit U).

This manufactured “cure” consisted of two separate forms dated on consecutive days, both of which contain fatal discrepancies. The “Authorization of Agent” page, dated February 18, contains a strict, statutorily mandated legal declaration: “I declare under penalty of perjury that I am the property owner for the address listed above and I personally filled out the above information and certify its accuracy”. Handwriting analysis conclusively demonstrates that the alleged signatory, Armando Garcia Sr., did not personally fill out this information. The handwriting for the project description (“Stairs”) and the address (“290 Thor Avenue, Turlock”) on the February 18 document perfectly matches the known handwriting of Armando Garcia Jr. from his December 9, 2025, filings. Furthermore, the “Owner-Builder” form, dated the previous day (February 17), visibly contains the distinct handwriting of Karina (Garcia) Castaneda.

Because the signatory swore under penalty of perjury to have personally filled out the required information, the undeniable presence of third-party handwriting across two separate days of filings explicitly invalidates both documents as deceptive submissions. Whether these forms represent forgery by agents or perjury by a Trustee, they are legally void. The Building and Safety Division did not accept a valid authorization; they accepted demonstrably falsified documents to retroactively cover up an unlawfully issued permit, and the Planning Commission utilized its appellate authority to ratify that deception.

88 **T. The Fabrication of the Identification Verification Defense**

The Staff Report attempts to explain away the fraudulent December 9 forms by claiming staff followed a “standard process” to “verify identification without retaining copies.” It asserts that

the Division requested the February 18 forms merely to “address the concern” because they no longer had the identification on file. This narrative is a demonstrably false, retroactive fabrication designed to excuse gross administrative negligence.

First, the City cannot claim to have verified the identification of an authorized agent on December 9 when the “Authorization of Agent” section on the original form was left entirely blank.

Second, the Staff Report’s assertion of a strict verification process directly contradicts Director Werner’s own verbal admissions. During our February 9 meeting, Director Werner explicitly stated to me that the Building and Safety Division *does not* verify signatures. I formally documented this exact admission in a recap email sent to City staff on February 10. The administration actively misrepresented the Division’s operational realities to the Planning Commission to feign retroactive competence.

Finally, the physical evidence of the driver’s licenses provided on February 18 completely destroys the City’s defense. The copies included in the Agenda Packet clearly identify the individual as “Armando Estrada Garcia Jr.” If staff had actually verified his identification against the application on December 9, as the Staff Report implies, they would have instantly known he was not “Armando P. Garcia Sr.” and therefore could not legally sign as the property owner. The unlawful issuance of the permit itself proves the verification never happened. By presenting this fabricated defense, the Planning Commission was manipulated into validating a process that internal evidence proves never occurred.

89 **U. The Manufactured Limitation of Evidentiary Review**

In a final, overarching effort to insulate the Building and Safety Division from accountability, the Staff Report artificially restricted the Planning Commission’s ability to examine physical evidence. Under the section titled ‘Planning Commission,’ the report instructed the appellate body:

“The Planning Commission’s role is not to re-perform building plan review or construction inspection, but rather to determine whether the administrative determination was made appropriately...”

This directive is a calculated, circular defense mechanism designed to blind the appellate body. My appeal explicitly challenged the *actions* of the Division, which inherently included the unilateral bypassing of structural engineering, the acceptance of unapproved lumber, and the authorization of field deviations explicitly disavowed by the Architect of Record.

It is logically and legally impossible for an appellate body to evaluate whether the Division acted “appropriately” without examining the underlying building plans, the statutory code requirements, and the physical construction inspections that the Division either bypassed or falsified. By instructing the Commission that they were not permitted to review the plans or the inspections, the Staff Report deliberately walled off the actual, physical evidence of the City’s negligence. The administration orchestrated a hearing where the Commission was instructed to blindly trust the executives’ verbal assertions while being expressly forbidden from looking at the documentary proof of their failures. This manufactured limitation ensured the hearing was a procedural theater rather than a substantive evidentiary review.

90 **V. Procedural Inconsistencies and Dissuasive Barriers to Appeal**

The right to initiate an appeal is established under TMC § 1-4-02, which states: “Any person may initiate an appeal...” However, the procedures and fees required to exercise this right were communicated so inconsistently by City staff that it created an unreasonable administrative barrier.

91 **1. Staff Confusion and Improper Documentation**

When I arrived at City Hall to request the “prescribed form” to file an appeal per TMC § 1-4-04, City Clerk Fiez was unsure which form was required and sought clarification from Director Werner. I was subsequently handed a building permit application packet and told the appeal fee was \$550. I expressed concern that a building permit application was not the legally prescribed

appeal form, and that \$550 appeared unusually high for a standard citizen appeal. Ultimately, the form I was instructed to use was improper for my initial filing; it asked, “WHAT ACTION ARE YOU ASKING THE CITY COUNCIL TO TAKE?” requiring me to manually alter the form to reflect an appeal to the Planning Commission.

92 **2. Erroneous and Inflated Fee Quotes**

The appeal form provided to me clearly stated the fee was \$125 in the top right corner. Based on the financial status of my elderly mother, the Interim City Manager granted a financial hardship waiver. However, the April 2 Planning Commission Meeting Agenda explicitly stated that the fee to appeal to the City Council was \$550. Both Ms. Werner and Ms. Quintero allowed this \$550 figure to be published and quoted to me, despite the actual, legally established fee being only \$125. Quoting a citizen a fee that is artificially inflated by \$425 acts as a severe and direct deterrent to exercising the right to appeal.

93 **3. Communication Breakdown and Administrative Limbo**

Because this appeal to the City Council was a continuation of the same grievance under TMC § 1-4-01(a), I sought clarification on whether the previously granted hardship waiver would carry over to the subsequent procedural step. On April 3, 2026, I emailed the Interim City Manager—copying the City Clerk, City Attorney’s Office, and Planning Manager—to formally request a waiver of the newly stated \$550 fee.

The Interim City Manager declined to respond to this inquiry. When citizens are navigating time-sensitive municipal appeals on behalf of elderly residents, a complete lack of response from city leadership regarding contradictory fees effectively functions as a dissuasion from continuing the process.

Regardless of staff intent, the combination of improper forms, conflicting fee quotes, and the failure to respond to legitimate procedural inquiries placed an undue and stressful burden on the appellant. This administrative disarray functionally obstructed the clear, accessible due process guaranteed to Turlock residents under the Municipal Code.

94 **W. The Staged Stop Work Order and Lifting Contrary to Municipal Code**

The City's disregard for statutory procedure escalated into the unlawful termination of an active enforcement action, directly endangering a resident.

95 **1. Unlawful Removal and Defiance of Law Enforcement**

As mentioned in IV.B.4 of this document, on Saturday, April 4, 2026, the unverified contractor unlawfully removed the official City of Turlock Stop Work Order notices from both sets of stairs at the property. As noted on the City's own postings, these removals are a violation of California Penal Code Section 616. The Turlock Police Department responded to the scene and requested written authorization for the first removal, for Apt 200, which the contractor could not produce, stating only that Inspector Delgadillo had informed him that the order was lifted by the Planning Commission's denial of my appeal. Officers advised him that without a written authorization, he had no authority to be on site, and generated Report #260940060. Despite this warning, shortly after the officers left, Mr. Garcia Jr. then ripped the remaining Stop Work Order notice off the adjacent stairs and departed, leaving a worker to continue.

96 **2. Creation of an Imminent Structural Hazard**

Operating under this direct violation defiance of an active enforcement order, the worker proceeded to execute highly incompetent repairs that created an imminent structural hazard. The worker installed eight large bolts to connect the header board directly below a full horizontal crack in the balcony frame. This unauthorized work also pulled the bottoms of the upper stringers further from the balcony, resulting in a 3/4-inch gap.

97 **3. The Director's Violation of Statutory Stay**

The contractor's actions on Saturday, April 4, and Monday, April 6, were subsequently enabled and shielded by Director Adrienne Werner. On April 6, she informed another responding officer that the Commission's ruling "lifted" the Stop Work Order. Specifically, for Report #260960071, Officer S. Arroyo wrote in the narrative, verbatim: "*Adrian Warner [sic] the building department*

advised that the stop permit [sic] was lifted, and they could resume construction. The city voted against Shawn's appeal on Thursday 4/2."

This directive was a legally baseless violation of due process. While the Planning Commission denied the initial appeal on April 2, that decision did not immediately authorize the resumption of construction. Per TMC § 1-4-02, an active 10-day statutory stay remained in effect, but Director Werner carved out the Stop Work Order as separate from the process, claiming that the parties reverted back to the status prior to my March 9 filing (the SWO notices were issued on March 10).

That faulty interpretation unlawfully canceled the status quo that was maintained during the first appeal—a status that is legally required to remain in effect during the second appeal:

- **TMC § 1-4-01(a) (Right to appeal):** “Any action or decision of the Planning Commission may be appealed to the City Council.”
- **TMC § 1-4-05 (Effect on appeal):** “The filing of an appeal shall cause the rights of the parties to remain as they were prior to the action or decision except where the City Manager finds that public health, welfare, or safety require the action or decision be made effective during the appeal process.”

TMC § 1-4-05 stipulates that if the City Manager makes an exception, it must occur in writing “within five (5) days of the filing of the appeal.” That did not occur, which further solidifies that the Stop Work Order notices were in no way legally “lifted” by a Commission ruling on April 2.

Director Werner actively and flagrantly bypassed the mandatory statutory stay, thereby shielding the contractor from accountability, including the application of “Chestnut Brown” Thompson’s WaterSeal to hide thoroughly un-approved, un-engineered wood on April 6.

X. The Unlawful April 13 Job Card Execution and Willful Violation of Statutory Stay

The administrative complicity surrounding Permit #25-1123 culminated in a documented timeline of willful procedural violations. The chronological record from Friday, April 10, through Monday, April 13, 2026, establishes that the Building and Safety Division actively ignored actual notice of an impending appeal, continued site operations after the statutory stay took effect, and unlawfully executed administrative actions.

- **Friday, April 10, 2026 (9:00 AM – 9:03 AM | Preemptive Inspection & Actual Notice):**

Within the active 10-day appellate window following the April 2 Planning Commission decision, Inspector Enrique Delgadillo and Inspector Ethan Johnson arrived at the property alongside the contractor. At 9:03 AM, Appellant explicitly informed Inspector Delgadillo, via a recorded conversation conducted with the inspector's knowledge, that Appellant was physically holding the formal Appeal form and was heading to City Hall at that exact moment. Appellant clearly stated that it was illegal for the inspectors to conduct an inspection at that time due to the impending statutory stay. Inspector Delgadillo's only reply was "Okay." Appellant then walked to his vehicle and departed for City Hall.

- **Friday, April 10, 2026 (9:15 AM; The Statutory Stay Locked):** Appellant officially filed the Appeal at City Hall. At this exact minute, **Turlock Municipal Code § 1-4-05** legally triggered a mandatory statutory stay on all enforcement and administrative actions related to the permit.

- **Friday, April 10, 2026 (9:30 AM; The Continued Violation):** Despite being given actual, recorded notice at 9:03 AM—and verbally acknowledging it—the City inspectors remained on the property conferring with the contractor until Appellant returned at 9:30 AM. By maintaining their active site visit and inspection activities after 9:15 AM, the Building and Safety Division overtly violated the legally active statutory stay.

- **Friday, April 10, 2026 (10:50 AM; Council Notification):** Appellant emailed the Turlock City Council, formally notifying them of the filed Appeal and the inspectors' preemptive arrival and actions on the property.
- **Sunday, April 12, 2026 (The Chubb SIU Escalation):** With the permit legally frozen, Appellant expanded the scope of reporting by filing a formal whistleblower fraud report with the Special Investigations Unit of the licensed contractor's workers' compensation carrier, Chubb Ltd (Ace American Insurance Company Policy #C73862140), confirmed as received on April 17.
- **Monday, April 13, 2026 (The Unlawful Execution):** On the next business day, with the TMC § 1-4-05 stay fully active and the City Council already notified, Inspector Delgadillo executed notes on the official Job Card. He noted, "Final inspection was performed on 4-10-26," but officially dated and initialed his sign-off as "FINAL INSPECTION: 4-13-26 ED". (See Exhibit W)

The Building and Safety Division's administrative execution of the Job Card on April 13 was a blatant, documented violation of the active appellate stay. The Division possessed no legal authority to alter, finalize, or sign off on the Job Card while the appeal was active.

The fact that the inspectors were given verbal, recorded notice of the appeal at 9:03 AM, remained on the property conferring with the contractor until 9:30 AM (after the stay took legal effect at 9:15 AM), and the City Council was formally notified at 10:50 AM, removes any defense of administrative error. The April 13 sign-off was a willful, post-dated administrative act designed to unlawfully finalize a jurisdictionally void permit in defiance of the appellate process.

99 **VI. FORMAL DEMANDS FOR RELIEF**

Based upon the irrefutable factual and jurisdictional record presented in this Addendum, and pursuant to the appellate authority of the City Council under **Turlock Municipal Code Chapter 1-4**, Appellant demands the following:

100 **A. Primary Appellate Action**

- 101 1. **Sustain this Appeal:** Formally uphold this appeal, recognizing that the Building and
Safety Division committed fatal jurisdictional and procedural errors in the issuance and
maintenance of Permit #25-1123.
- 102 2. **Reverse Resolution 2026-07:** Officially reverse the Planning Commission's April 2,
2026, decision, as the administrative body erred in ratifying an invalid permit and relied
upon a compromised, factually deficient Staff Report.
- 103 3. **Revoke Permit #25-1123:** Officially REVOKE Building Permit #25-1123 as void ab
initio, based upon the undeniable jurisdictional defects, documented identity fraud, and
fraudulent statutory declarations established within the evidentiary record.

104 **B. Consequent & Discretionary Relief**

- 105 1. **Reinstatement of the Statutory Stay:** Immediately correct the unlawful lifting of the
Stop Work Order and reinstate the notices on both sets of stairs to enforce the mandatory
statutory stay required by TMC § 1-4-05.
- 106 2. **Mandatory Abatement and Corrective Reconstruction:** Order the complete demolition
of the structurally non-compliant stairs providing exclusive ingress/egress to Apartment
200. Due to the documented un-engineered structural footprint and the resulting 17-inch
cantilever hazard, the City must require: **(a)** the submission of revised engineered plans
that accurately reflect the physical dimensions of the balcony and site conditions; **(b)** the
removal and replacement of misplaced foundational connectors to ensure proper,

independent support spans; and (c) the utilization of a verified, licensed commercial framing contractor to execute the build in strict accordance with newly approved designs.

- 107 3. **Mandated Balcony Inspection (HSC § 17973):** Require a comprehensive, third-party licensed inspection and a mandated written report regarding the structural integrity of the balcony and its framing at 290 N. Thor St., as required by HSC § 17973. This inspection must verify the condition of the load-bearing supports and the balcony’s interface with the newly reconstructed stairs.
- 108 4. **Reimbursement of Costs:** Refund the \$125.00 appeal application fee submitted on April 10, 2026, under formal protest.
- 109 5. **Acknowledgment of Active Oversight Complaints:** The City must formally acknowledge the active CSLB Complaint (NA 2025 13396)—which currently targets the unpermitted construction from August 2025—and the formal whistleblower fraud report regarding Workers’ Compensation statutory declarations for Permit #25-1123 filed with the carrier, Chubb Ltd (Ace American Insurance Company Policy #C73862140). (See Exhibits F, G, and H) This state licensing complaint and corporate fraud report establish a documented, unresolved challenge to the contractor’s regulatory compliance across multiple projects at this property. These severe, active allegations fundamentally undermine the unverified “permit holder’s” statutory declarations and legally preclude the City from issuing any “Final” approval under an authorizing instrument actively disputed.
- 110 6. **Independent Investigation of Administrative Misconduct:** Commission a formal, independent investigation into the complete chain of administrative failures and misconduct regarding Permit #25-1123. This review must systematically examine the actions, directives, and documented complicity of the Interim City Manager, the prior contracted City Attorney, Paralegal, the Development Services Director, the Planning Manager, the Building Inspectors, the Staff Services Analyst, Staff Services Technician(s), and the Staff Services Assistant. The investigation must explicitly address the coordinated

orchestration of retroactive legal defenses, the unilateral bypassing of structural engineering requirements, the acceptance of an explicitly unauthorized structural waiver from an unlicensed agent, who is not the Design Professional of Record, and the specific actions of leadership in overriding mandatory life-safety codes.

- 111 7. **Mandatory Recusal of Compromised Staff:** Issue a formal, binding directive prohibiting Development Services Director Adrienne Werner, Planning Manager Katie Quintero, and Staff Services Analyst Kimberly Hammack from any further administrative or advisory participation in this appellate process. The evidentiary record demonstrates that these individuals willfully facilitated the presentation of a fabricated municipal record and concealed material facts during the April 2, 2026, Planning Commission hearing. Consequently, they must be legally recused from advising the City Council, drafting the appellate Staff Report, or contributing in any capacity to the City’s administrative position regarding this appeal to preserve the integrity of the quasi-judicial process.
- 112 8. **Systemic Policy Overhaul for Code Enforcement (HSC § 19825):** Enact a binding mandate to overhaul the Building and Safety Division’s permitting and code enforcement protocols, specifically demanding strict, non-waivable compliance with California Health and Safety Code § 19825. The Council must prohibit the use of legally deficient “permit holder” designations and mandate both rigorous identity and property ownership verification procedures to ensure that all statutory Owner-Builder declarations are personally executed under penalty of perjury by the legally verified property owner. Furthermore, the City must establish zero-tolerance enforcement protocols requiring the immediate issuance of Stop Work Orders when unpermitted commercial labor or identity fraud is discovered on active job sites.
- 113 9. **Formal Referral to the District Attorney for Criminal Misconduct:** Direct the City Attorney to formally compile the evidentiary record of the actions of Armando Garcia Jr. and Karina Castaneda, and submit a targeted referral to the Stanislaus County District Attorney’s Office for criminal prosecution. This referral must specifically cite the

fabrication and execution of the fraudulently obtained Owner-Builder and Authorization of Agent declarations. Based on undeniable handwriting evidence, the referral should include charges of forgery (California Penal Code § 470), the filing of a false or forged document (Penal Code § 115), perjury (Penal Code § 118), and felony insurance fraud (California Insurance Code § 1871.4). Furthermore, the referral must cite Mr. Garcia Jr.'s documented, recorded removal of official Stop Work Order notices in direct violation of California Penal Code § 616 (Turlock Police Report # 260940060).

- 114 10. **City-Initiated Complaint to the Contractors State License Board (CSLB):** Because the active CSLB complaint (NA 2025 13396) is currently limited to the unpermitted construction from August 2025, direct the Building Official and the Development Services Director to file a new, formal, City-backed complaint with the CSLB against Armando Garcia Jr. and Westside Landscape and Concrete, Inc. regarding Permit #25-1123. The City must officially report his subsequent performance of un-engineered structural framing, his willful deviation from City-approved engineered plans—most notably his deliberate replication of those structural failures on the subsequent build for Apartment 200—and his legally unauthorized removal of municipal enforcement postings—specifically his defiant removal of a second notice immediately after Turlock Police Officers explicitly warned him he lacked the legal authority to be on site.
- 115 11. **Maximum Administrative Penalties and Permit Scrutiny:** Direct the Building and Safety Division to retroactively levy the maximum allowable administrative citations and fines against Mr. Garcia Jr. and the legal property owners for the unpermitted construction executed in August 2025 and the subsequent structural violations. This must explicitly include the progressively increasing Administrative Citation fines of \$100.00 or more per violation under TMC § 8-1-102(d), as formally threatened by the Division in its July 28 and August 12, 2025 warning letters, alongside the \$500 civil penalty mandated by California Business and Professions Code § 7031.5. Moreover, mandate that a permanent administrative flag be placed on Mr. Garcia Jr., Westside Landscape and Concrete, Inc.,

and all associated “Amarak” entities, requiring heightened, non-waivable identity and licensure verification for any future permit applications submitted within the City of Turlock.

The City of Turlock has a fundamental duty to ensure the legal integrity of its permitting process and the physical safety of its residents. Appellant respectfully demands that the City Council fulfill its mandatory regulatory and oversight obligations regarding 290 N. Thor Street.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date executed: May 8, 2026

Place: Turlock, California; County of Stanislaus

Signature:

A handwritten signature in black ink that reads "Shawn Sheridan". The signature is written in a cursive, flowing style.

Shawn Sheridan

Appellant and Legal Agent for Tenant, Frances Dianne Sheridan

290 N. Thor St., Apt. 200

Turlock, CA 95380

Active CSLB Complaint: NA 2025 13396

[Appellant Exhibit List follows]

APPELLANT'S EXHIBIT LIST – PERMIT #25-1123

- A 08/06/25 One of eight photos emailed to Building and Safety showing NEW STAIRS built earlier that day; original, exceedingly rotten wood was retained in place.
- B 08/10/25 Photo of stairs leading solely to Apt 200. Stairs lacked a handrail until 03/05/26. Original rotten wood underneath the landing platform remained until 02/14/26.
- C 01/28/26 Photo of Inspectors Enrique Delgadillo and Ethan Johnson knowingly with employees of the “permit holder” for a challenged permit both marked and initialed as Workers’ Compensation exempt.
- D 02/17/26 Photo taken two days after Apt 200 stairs were completed.
- E 04/06/26 Photo the day “permit holder” employees sprayed “Chestnut Brown” WaterSeal without removing many lumber tags. Zoomed image reveals internal splitting of wood within only three months of installation.
- F 02/19/26 First response letter from CSLB.
- G 04/23/26 Second response from CSLB.
- H 04/17/26 Email response from Chubb; first page only.
- I 06/13/25 Emailed complaint to Building and Safety Division, providing the property ownership and landlord information; two pages.
- J 07/11/25 Email from Building and Safety confirming meeting and receipt of photos of original dangerous stairs; first page only.
- K 07/11/25 Complaint Form (Case Number 25-0470). A facially defective intake record that explicitly notes structural hazards (“base of stairs are dry rot and deteriorating”) while concurrently—and unlawfully—marking that no building permit was required. The form conspicuously omits complainant contact information, as well as “Action Taken” data (including but not limited to the “2nd Warning Letter” and “Building Permit #”). Note: This

document pre-dates the unpermitted stair construction that occurred in August 2025.

- L 08/12/25 Email thread involving Hammack and Delgadillo; identifies priority of liability over safety. Delgadillo utilized an invalid phone number provided by Finance; however, despite this, Delgadillo met with Mr. Garcia Jr. onsite the following morning. Note: Renteria redacted Appellant's email under a claimed privacy exemption.
- M 08/13/25 Email thread regarding submittal date of "9-24-25" (42 days in the future). Delgadillo identifies meeting with the "property owner," though the meeting was with Mr. Garcia Jr. Note: Renteria redacted Appellant's email under a claimed privacy exemption.
- N 10/13/25 Email thread between Appellant and Building and Safety Division about the property ownership and explicit concern prior to the issuance of any permit; three pages.
- O 12/02/25 Email from Hammack to Delgadillo and Blancarte explicitly acknowledging the actual property ownership structure and Mr. Garcia Jr.'s position, seven days before Permit #25-1123 was issued; first page only. This regarded PRA #25-201 from the Appellant, originally emailed to Director Werner by Deputy City Clerk Renteria to fulfill, copied to Ms. Hammack.
- P 12/04/25 Email from Scully to Osvaldo Reyes and Armando Garcia Jr., stating that for the permit to be complete, a general contractor's license number would need to be provided—sent five days before Permit #25-1123 was issued; first page only.
- Q 12/22/25 Email from Hammack to Appellant, discussing the project at 290 N Thor in terms of contractor licensing for a "zero-employee" issued permit; first page only.
- R 02/13/26 Email from Hammack to Garcia prompting the "good faith" letter.
- S 02/13/26 Email from Andrino two hours after Hammack's email; first page only.

- T 02/17/26 Letter from Armando Garcia Jr. prompted by City Attorney and Building and Safety; confirms signature and mobile number, admits to 2025 bad faith acts, and utilizes the misdirection of acting as the “eldest son” to obscure his status as an evidenced sophisticated actor.
- U 02/18/26 Handwriting and signature analysis of the “updated” Owner-Builder and Authorization of Agent forms; three pages. Conclusively demonstrates that Armando P. Garcia Sr. did not personally execute the sworn declarations, exposing the visible handwriting of Armando Garcia Jr. and Karina Castaneda on documents submitted under penalty of perjury.
- V 03/04/26 Email from Hammack to Garcia Jr. incorrectly stating an appeal had already been filed and declaring an “on hold” status until April 2, 2026. Explicitly mandates both architect or engineer of record and City approval for any deviations; first page only.
- W 04/13/26 Inspector Delgadillo executed a post-dated final sign-off while the statutory stay was actively in effect (TMC § 1-4-05). The inspectors (Delgadillo and Johnson) had actual notice, in person, just after 9:00 AM on April 10, that Appellant was heading to City Hall to file the appeal form at that moment.
- X 04/17/26 Email from Planning Manager Katie Quintero admitting she did not prepare the April 2 Staff Report, despite being identified as the author under “Prepared by”; first page only.



Exhibit A

08/06/2025

Underneath

'New' Stairs Corner 2

Replaced

02/14/2026

Exhibit B
08/10/2025
Guardrail
4' 6" High
6" Wide



Design • Installation • Maintenance

WESTSIDE
209-862-3908

Exhibit C Inspectors & Employees 01/28/26



Exhibit D
"TOP CHOICE" GDF
02/17/2026

Exhibit E

04/06/26





CONTRACTORS STATE LICENSE BOARD

Sacramento Intake/Mediation Center
Mailing Address: P.O. Box 269116, Sacramento, CA 95826-9116
800-321-CSLB (2752) or (916) 255-3900
www.cslb.ca.gov

STATE OF CALIFORNIA

Gavin Newsom, Governor

Date 2/19/2026

Shawn Sheridan
290 N. Thor St., Apt. 200
Turlock, CA 95380

received
2-21-2026

Complaint Number: NA 2025 13396
License Number: 825160
Project Address: 290 N. Thor St., Turlock, CA 95360

The Contractors State License Board (CSLB) recently received your complaint, alleging that a building permit was not obtained for construction activity at the above-referenced address.

Building permits are necessary to ensure that construction is performed according to state and local codes as well as safety standards. On June 11, 2009, CSLB Board Members voted unanimously to place a high priority on enforcing building permit requirements, and an Industry Bulletin (copy enclosed) was issued on November 30, 2009, alerting licensees that CSLB would be accelerating building permit enforcement efforts beginning January 2010.

Failure to obtain a building permit exposes the homeowner to additional costs and liability. Moreover, it is a violation of Business and Professions Code (B&P) 7110 for a contractor to perform work on a construction project without a required permit. Contractors who violate the law are subject to disciplinary action by CSLB, including assessment of civil penalties up to \$5,000 per violation, an order of correction to pay the cost of permit fees as well as any assessed penalties by the local building department, and suspension or revocation of the license.

CSLB will contact the contractor regarding the permit allegation and take appropriate corrective action. Thank you for assisting CSLB's enforcement efforts. If you have questions or concerns, please call me at (916) 255-1549.

Elysa Santos
Mediator

Enclosures

EXHIBIT: F



CONTRACTORS STATE LICENSE BOARD

9821 Business Park Drive, Sacramento, CA 95827
Mailing Address: P.O. Box 26000, Sacramento, CA 95826
800-321-CSLB (2752)
www.cslb.ca.gov • CheckTheLicenseFirst.com

STATE OF CALIFORNIA
Gavin Newsom, Governor

April 23, 2026

Shawn Sheridan
290 N. Thor St., Apt. 200
Turlock, CA 95380

COMPLAINT: NA 2025 13396

RESPONDENT: Westside Landscape & Concrete Inc

Dear Shawn Sheridan:

For administrative purposes, your complaint has been reassigned to me.

I will be in contact with you within 20 days of the date of this letter.

Please be aware that cases are handled in the order of receipt. If you have any questions, please feel free to contact me.

Thank you in advance for your patience.

Sincerely,

Janette Taylor
Mediator
916-255-1954

received
4/25/2026

cc: Armando Garcia
Westside Landscape & Concrete Inc
27107 State Highway 33
Newman, CA 95380

EXHIBIT: G

SSA-ejb

Fraud Reporting

Fraud Reporting <fraudreporting@chubb.com>
to: sds1@tutamail.com ▲

📅 Fri, Apr 17, 2026 • 7:03 AM

From

Fraud Reporting <fraudreporting@chubb.com>

To

Shawn Sheridan <sds1@tutamail.com>

📎 2025.12.09 Building Permit.pdf, 315.1 kB

📎 2026.02.19 CSLB Letter.pdf, 1.6 MB

📎 2026.03.09 Appeal Form.pdf, 610.7 kB

📎 2026.04.10 Appeal Form.pdf, 1 MB

RE: [EXTERNAL] NOTICE of Potential Liability and Documented Premium Fraud — Policy # C73862140

Shawn,

Thank you for your email. This will serve to confirm receipt and advise that we have forwarded it to the proper party to address your concerns.

Thank you.

EXHIBIT: H

From: Shawn Sheridan <sds1@tutamail.com>

Sent: Sunday, April 12, 2026 12:13 AM

To: Fraud Reporting <fraudreporting@chubb.com>

Subject: [EXTERNAL] NOTICE of Potential Liability and Documented Premium Fraud — Policy

sds1@tutamail.com

to: building@turlock.ca.us ▲

📅 Fri, Jun 13, 2025 • 7:17 AM

From

sds1@tutamail.com

To

Building <building@turlock.ca.us>

Complaint regarding lighting at apartment building

Hi Kelley,

Thanks for handling my complaint.

At 290 North Thor Street in Turlock, the outside building lights ceased to turn on by a sensor on February 25, 2025, less than a week after the property had new owners. My mom and I have lived in Apt. 200 since 2016, and the lights had always been on at night.

The sensor, I believe connected to the building above what used to be the laundry room in the back, engages eight light fixtures, lighting the two front stairways, six apartment front doors, and the parking lot.

On May 29, 2025, I requested by email and letter by Certified Mail for the new property manager to repair or turn on the sensor for safety and security, no reply has been received, and the lights are still off at night.

Owner of the property per the Grant Deed recorded on February 19, 2025:

Armando P. Garcia, Sr. and Maria Guadalupe Garcia, Trustees
Garcia 2017 Living Trust Dated September 27, 2017
27107 State Highway 33
Newman, CA 95360

Property manager:

Karina Castaneda

EXHIBIT: I

Amarak Management, Inc.
P.O. Box 317
Newman, CA 95360
Tel: (209) 640-0103
Email: amarakmgmt@yahoo.com

The head of Amarak Management, Inc. is the trustee Armando P. Garcia, Sr.

Sincerely,

Shawn Sheridan
290 N. Thor St., Apt. 200
Turlock, CA 95380
Tel: (209) 202-7109
Email: sds1@tutamail.com

Kelly Blancarte

Kelly Blancarte <KBlancarte@turlock.ca.us>

to: sds1@tutamail.com + 1 ▲

📅 Fri, Jul 11, 2025 • 11:35 AM

From

Kelly Blancarte <KBlancarte@turlock.ca.us>

To

sds1@tutamail.com <sds1@tutamail.com>

Cc

City Of Turlock Building <Building@turlock.ca.us>

RE: 290 N Thor St

Shawn,

Thank you for coming in and for providing the attached photos. I've updated the complaint to include the concern regarding the deteriorating stairs.

We appreciate your assistance as we work together to address and resolve this building related concern.

Best regards,

Building Division Staff

City of Turlock

Building and Safety Division

156 S Broadway, Ste 130

Turlock, CA 95380

P: (209) 668-5560

F: (209) 668-5107

EXHIBIT: J

Case Number: 25-0470

COMPLAINT FORM

Date: 7/11/2025

Complaint received by: KELLY How received: IN PERSON & EMAIL

Location of Complaint: 290 N THOR ST APN #: 061-024-058-000

Complainant: SHAWN SHERIDAN Address: _____ Phone: _____

Nature of Complaint: STAIRWAY LIGHTING & STAIR DETERIORATING AT BASE:
LIGHT FIXTURE DIRECTED AT THE STAIRS ARE NOT ENGAGING UNTIL THE PERSON IS ALREADY ON
GROUND. ALSO BASE OF STAIRS ARE DRYROT AND DETERIORATING

☐ PD

☐ NPO

-Action Taken-

Date: 7-28-25 Complaint referred to: Emriquel D. Inspection Date: _____

Condition noted: _____

EXHIBIT: K

Building Permit Required: Yes ☐ No ☒ Building Permit #: _____

☐ NTB Issued _____

☒ 1st Warning Letter _____

☐ 2nd Warning Letter _____

☐ Admin Warning Issued _____

☐ Administrative Citation Issued _____

Date Complaint Closed: _____ Reason Closed: _____

From: Kim Hammack
Sent: Aug 12, 2025 22:49:06.103114700 UTC
Subject: RE: Stairs for Apt 200 at 290 N Thor St
To: Enrique Delgadillo ; City Of Turlock Building

Are the stairs a big enough concern that we should tag them? I just want to be sure we are protecting ourselves. Thanks for staying so on top if this one!

From: Enrique Delgadillo
Sent: Tuesday, August 12, 2025 3:22 PM
To: City Of Turlock Building <Building@turlock.ca.us>; Kim Hammack <KHammack@turlock.ca.us>
Subject: RE: Stairs for Apt 200 at 290 N Thor St

First letter was sent out on 7/28/2025 giving property owner until 8/11/2025 to make contact, no contact was made. Second warning letter has been mailed out today 8-12-2025 giving them until 8-26-2025 to make contact. Phone number that was provided by finance was no good.

Thanks.

From: City Of Turlock Building
Sent: Tuesday, August 12, 2025 2:20 PM
To: Kim Hammack <KHammack@turlock.ca.us>; Enrique Delgadillo <EDelgadillo@turlock.ca.us>
Subject: FW: Stairs for Apt 200 at 290 N Thor St

Please advise

Withhold identity of complaining party

EXHIBIT: L

From: City Of Turlock Building
Sent: Aug 13, 2025 22:04:07.000000000 UTC
Subject: RE: Stairs for Apt 200 at 290 N Thor St
To: Enrique Delgadillo ; City Of Turlock Building ; Kim Hammack

Thank you for the update! GREAT WORK Enrique!!

From: Enrique Delgadillo
Sent: Wednesday, August 13, 2025 2:52 PM
To: City Of Turlock Building <Building@turlock.ca.us>; Kim Hammack <KHammack@turlock.ca.us>
Subject: RE: Stairs for Apt 200 at 290 N Thor St

****UPDATE****

Met with property owner today 8/13/2025 on-site went over what needs to be done. Permit and plans will be required for the repair/meeting min code compliance of the stairs, 30 days was given to submit permit application and plans. 9-24-2025 is the new deadline for submittal.

From: City Of Turlock Building
Sent: Tuesday, August 12, 2025 2:20 PM
To: Kim Hammack <KHammack@turlock.ca.us>; Enrique Delgadillo <EDelgadillo@turlock.ca.us>
Subject: FW: Stairs for Apt 200 at 290 N Thor St

Please advise

Withhold identity of complaining party

EXHIBIT: M

City Of Turlock Building

City Of Turlock Building <Building@turlock.ca.us>

to: sds1@tutamail.com + 2 ▲

📅 Mon, Oct 13, 2025 • 10:49 AM

From

City Of Turlock Building <Building@turlock.ca.us>

To

sds1@tutamail.com <sds1@tutamail.com>

Enrique Delgadillo <EDelgadillo@turlock.ca.us>

Cc

City Of Turlock Building <Building@turlock.ca.us>

RE: Ownership of 290 N Thor St

Hi Shawn,

Thank you for your message and for providing this information.

To confirm, permits can only be issued to either the property owner of record, a licensed contractor, or an authorized agent of either party. While those are the only entities eligible to obtain permits, please understand that different individuals may serve as points of contact throughout the case, permit or inspection process.

We appreciate your diligence in helping ensure everything proceeds smoothly.

Please feel free to reach out if you have any further questions.

Sincerely,

Building Division Staff

EXHIBIT: N

City of Turlock - Building Division

156 S Broadway, Ste 130 Turlock, CA 95380

P: (209) 668-5560

building@turlock.ca.us | cityofturlock.org

KB

From: sds1@tutamail.com <sds1@tutamail.com>
Sent: Saturday, October 11, 2025 3:31 PM
To: Enrique Delgadillo <EDelgadillo@turlock.ca.us>
Cc: City Of Turlock Building <Building@turlock.ca.us>
Subject: Ownership of 290 N Thor St

Enrique,

I keep thinking of our conversation the other day about you working with Armando Garcia, Jr., regarding the stairs for Apt 200 at 290 N Thor St. I mentioned that he is not the owner.

Per the Grant Deed recorded on February 19, 2025, the property is held by:

Armando P. Garcia, Sr. and Maria Guadalupe Garcia, Trustees

Garcia 2017 Living Trust Dated September 27, 2017

27107 State Highway 33

Newman, CA 95360

The address on the deed is the business address for Westside Landscape and Concrete, Inc., owned by Armando Garcia, Jr. He is likely a 25% beneficiary of the

living trust, and may not be a direct beneficiary at all, but through an LLC along with his three siblings.

I just want to make sure that the city is working with the right authority to avoid any problems with the permit or inspections.

Shawn Sheridan

290 N Thor St, Apt 200

Turlock, CA 95380

On behalf of the tenant, Dianne Sheridan

From: Kim Hammack
Sent: Dec 02, 2025 23:34:57.834238100 UTC
Subject: 290 N Thor
To: Kelly Blancarte ; Enrique Delgadillo

Hello,

Please see below and provide me in paper format all the emails, letters, notes of meetings, etc. for the above mentioned address. If you could have it tomorrow before EOB tomorrow that would be ideal.

Thanks!

The request:

I request a PDF copy of correspondence from the City of Turlock Building Department to the current owner(s) or designated contact of the multi-family residential property located at 290 North Thor Street in Turlock, as follows:

- (1) Any communication mailed to the owner(s) or designated contact between July 28 and August 1, 2025.*
- (2) Any communication mailed to the owner(s) or designated contact between October 15 and 20, 2025.*
- (3) Any email after July 27, 2025:*

FROM

building@turlock.ca.us

edelgadillo@turlock.ca.us

kblancarte@turlock.ca.us

TO

agarcia@westsidelandscape.net

amarakmgmt@yahoo.com

As of February 2025, the Grantee of the property is "Armando P. Garcia, Sr., and Maria Guadalupe Garcia, Trustees of the Garcia 2017 Living Trust Dated September 27, 2017," with the address of 27107 State Highway 33, Newman, CA 95360 (Westside Landscape and Concrete, Inc.).

The designated contact is likely Armando Garcia, Jr., who is the owner of Westside Landscape and Concrete, Inc., and a vice president of the family-owned property management company Amarak Management, Inc. Another designated contact may be Karina Castaneda.

If any part of this request cannot be fulfilled, then it is expected that legal justification be provided.

Kimberly Hammack
City of Turlock- Building Division

156 S Broadway Ste 130 Turlock, CA 95380

P 209.668.5560 Ext: 2207

F 209.668.5107

Khammack@turlock.ca.us

cityofturlock.org

EXHIBIT: O

The Building & Safety Division is open Monday through Friday from 8 AM to 5 PM, excluding holidays. Please be advised that making an appointment is strongly encouraged to ensure that the necessary staff is available to assist you.

For more information or to schedule an appointment, you can contact the Building Division by calling (209) 668-5560 or by emailing building@turlock.ca.us.

NOTICE: Adoption of 2025 California Building Codes
Effective January 1, 2026, the 2025 California Building Codes

From: Electronic Plans Building

Sent: Dec 04, 2025 00:38:49.956382800 UTC

Subject: 290 N Thor St, BP# 25-1123

To: ozr.drafting.design@gmail.com <ozr.drafting.design@gmail.com>; agarcia@westsidelandscape.net <agarcia@westsidelandscape.net>

Good Afternoon,

We are processing the project at the above address, however please provide the following to complete the permit.

- General contractor's license number and email address
- Contractor to complete and return the Construction Waste Management Plan

If you have any questions regarding Electronic Plan Review or Processes please contact Kayla Scully at 209-668-5370.

Thank you,

Building Division Staff

City of Turlock
Building and Safety Division
156 S Broadway, Ste 130
Turlock, CA 95380
P: (209) 668-5560

epplansbuilding@turlock.ca.us
cityofturlock.org

KS

EXHIBIT: P

**** Please Note: Our offices will be closed December 23rd through January 1st.
Inspection services will resume January 5th. ****

NOTICE: Adoption of 2025 California Building Codes

Effective January 1, 2026, the 2025 California Building Codes

will go into effect and apply to all new permit applications submitted to the City of Turlock Building & Safety Division.

To be reviewed under the 2022 California Building Codes, the following must be completed:

- A complete project submittal uploaded to the City's cloud link ([Click Here To Submit Documents](#))

Note: Incomplete submittals will not be accepted

- Paid plan check deposit
- Complete submittals must be received by **December 15, 2025, at 5:00 PM PST**

Submittals received after this deadline will be processed under the 2025 California Building Codes, following standard submittal process.

Kim Hammack

Kim Hammack <KHammack@turlock.ca.us>
to: sds1@tutamail.com + 2 ▲

📅 Mon, Dec 22, 2025 • 8:25 AM

From

Kim Hammack <KHammack@turlock.ca.us>

To

sds1@tutamail.com <sds1@tutamail.com>

Cc

Donna Andrino <DAndrino@turlock.ca.us> Adrienne Werner <AWerner@turlock.ca.us>

ADDENDUM: Licensing/Owner-Builder Verification - Permit #2025-00001123

Hello Shawn,

We have received your email sharing your interpretation of the contractor licensing requirements.

Based on the scope of work, the proposed staircase work qualifies as general building construction associated with the alteration or replacement of a building component.

While Business and Professions Code § 7057 limits a Class B contractor from taking a prime contract for a single, standalone specialty trade, it also expressly authorizes a Class B contractor to perform general building work and projects that involve multiple unrelated building trades or crafts, or are otherwise part of general building construction.

The City does not make determinations regarding specialty license enforcement or contractor classification beyond confirming that the license held is active and appropriate for permit issuance. Questions or disputes regarding whether a particular scope of work requires a specialty license fall under the jurisdiction of the Contractors State License Board (CSLB).

Sincerely,

EXHIBIT: Q

Kimberly Hammack

From: Kim Hammack
Sent: Feb 13, 2026 17:00:04.000000000 UTC
Subject: 290 N Thor - Homeowner Builder Form
To: agarcia@westsidelandscape.net <agarcia@westsidelandscape.net>
Cc: Enrique Delgadillo ; Adrienne Werner

Hello Armando,

With direction from our legal team we need the following items addressed in regards to the homeowner building form:

- A new homeowner builder form (attached) to be fully completed by GARCIA ARMANDO P SR or GARCIA MARIA GUADALUPE
- Copy of driver's license of whomever completed the home owner building form (GARCIA ARMANDO P SR or GARCIA MARIA GUADALUPE)
- A copy of your driver's license
- A quick letter stating that you filled out the original owner builder form in good faith as acting representative for your parents trust.

Please return these items to me as soon as possible. If you need any assistance or have any questions please reach out.

Sincerely,

Kimberly Hammack
City of Turlock- Building Division
156 S Broadway Ste 130 Turlock, CA 95380
P 209.668.5560 Ext: 2207
F 209.668.5107
Khammack@turlock.ca.us
cityofturlock.org

EXHIBIT: R

The Building & Safety Division is open Monday through Friday from 8 AM to 5 PM, excluding holidays. Please be advised that making an appointment is strongly encouraged to ensure that the necessary staff is available to assist you.

For more information or to schedule an appointment, you can contact the Building Division by calling (209) 668-5560 or by emailing building@turlock.ca.us.



 Please consider the environment before printing this email

Donna Andrino

Donna Andrino <DAndrino@turlock.ca.us>

to: sds1@tutamail.com + 1 ▲

 Fri, Feb 13, 2026 • 11:08 AM

From

Donna Andrino <DAndrino@turlock.ca.us>

To

Shawn Sheridan <sds1@tutamail.com>

Cc

Adrienne Werner <AWerner@turlock.ca.us>

Building Permit

Good morning Mr. Sheridan,

This email shall serve as my promised response to you regarding the building permit for the stairs at 290 N. Thor Street.

The City Attorney has reviewed the files provided to him and has made the determination there is nothing to warrant stopping work from being done at this time. Given the life-safety issue, time is of the essence to complete the project.

Please be advised, the file has been returned to the department for further work.

Best regards,

EXHIBIT: S

Donna E. Andrino

Armando Garcia
27107 State Highway 33
Newman, CA 95360

17, February 2026

To Whom it may concern,

This letter is to inform you that I, Armando Garcia Jr. filled out the original owner builder format in good faith as acting representative for Garcia 2017 Living Trust. The apartments on 290 North Thor Avenue, Turlock are owned by such trust.

I am the eldest son of Armando and Maria Garcia owners of the Garcia 2017 Living Trust. I am a general contractor with a current valid CA state B-general building license #825160. My parents have asked me to complete this task on their property and I have their full authorization to continue such work.

If I may be of any additional help, please call my cell at 209.765.3112.

Sincerely,



Armando Garcia,

EXHIBIT: T

EXHIBIT: U

The following handwriting comparisons demonstrate severe, fundamental discrepancies regarding the signatures of Armando P. Garcia Sr. on the 'Owner-Builder' and 'Authorization of Agent' form/pages dated February 17 and 18, 2026. The two recent signatures contradict seven (7) distinct state-filed signatures from 2017 and 2018. Furthermore, the signatures executed on February 17 and February 18 bear no resemblance to one another.

► **02/17/2026 - Alleged signature of Armando P. Garcia, Sr. on 'Owner-Builder' form:**

me (print) Armando Garcia
Owner Armando Garcia P. Date: 2/17/26

► **02/18/2026 - Alleged signature of Armando P. Garcia, Sr. on 'Auth of Agent' page:**

int) ARMANDO GARCIA
" Armando Garcia P. Date: 2/18/26

► **2017 - State-filed signatures of Armando P. Garcia, Sr. for multiple LLCs and corporation:**

By: Armando Garcia
ARMANDO P. GARCIA, SR., Incorporator

Armando Garcia
Organizer sign here

Armando P. Garcia, Sr.
Print your name here

Armando Garcia
Organizer sign here

Armando P. Garcia, Sr.
Print your name here

Armando Garcia
Organizer sign here

Armando P. Garcia, Sr.
Print your name here

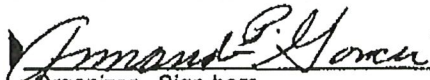
Armando Garcia
Organizer sign here

Armando P. Garcia, Sr.
Print your name here

Armando Garcia
Organizer sign here

Armando P. Garcia, Sr.
Print your name here

► **2018 - State-filed signature for Amarak Investments, LLC:**


Organizer - Sign here

Armando P. Garcia
Print your name here

The state-filed signatures from 2017-2018 reveal:

- Both the small 'a' in Armando and 'c' in Garcia were clearly visible.
- The 'd' did not have a large loop.
- A horizontal line was consistently at the end of 'o'.
- His 'G' never connected to 'a'.
- His signature did not end with 'P'.

The signature dated 02/18/26 was signed under penalty of perjury. Two people are known without doubt to have handled one or both documents: Armando Garcia Jr. and Karina (Garcia) Castaneda.

► **02/20/2025 - Karina's handwriting when she was the property manager in 2025:**

290 N. Thor St Apt # 800, Turlock CA. 95380

► **02/17/2026 - Karina's recent handwriting on the 'Owner-Builder' form:**

290 N. THOR, TURLOCK CA. 95380

► **12/09/2025 - Armando Jr.'s handwriting on the 'Construction Waste Management' form:**

290 N. Thor Avenue

► **12/09/2025 - Armando Jr.'s handwriting on the 'Owner-Builder' form:**

290 Thor Avenue, Turlock

► **02/18/2026 - Armando Jr.'s handwriting on the 'Authorization of Agent' page:**

290 Thor Avenue, Turlock

- 12/09/2025 - Armando Jr.'s handwriting on the 'Construction Waste Management' form:

Project Name: Stairs

- 02/18/2026 - Armando Jr.'s handwriting on the 'Authorization of Agent' page:

Description of Work): Stairs

The declaration on the 'Authorization of Agent' page states: *"I declare under penalty of perjury that I am the property owner for the address listed above **and I personally filled out the above information and certify its accuracy.**"* The handwriting analysis physically proves that Armando P. Garcia Sr. did not personally fill out the required information. Because the signatory swore under penalty of perjury to have personally executed the form, the visible presence of a third party's handwriting explicitly invalidates the document as a deceptive submission.

From: Kim Hammack
Sent: Mar 04, 2026 18:33:49.000000000 UTC
Subject: RE: 290 N Thor - Meeting
To: agarcia@westsidelandscape.net <agarcia@westsidelandscape.net>
Cc: Enrique Delgadillo ; Adrienne Werner

Hi Armando,

Sorry we were unable to connect this morning.

I wanted to share the key discussion points we had planned to review. An appeal has been filed regarding the validity of Building Permit 25-1123. As a result, construction will be on hold until the Planning Commission reaches a determination on April 2nd.

During this time, it is imperative that you and your team:

- Prepare to address all outstanding inspection items on the west side stairs
 - Prepare for the proper construction of the east side stairs - The following items have been noted and are based solely on photos and information provided to our office. This may not be an accurate or complete list. A final determination cannot be made until an on-site inspection is conducted.
 1. Missing hardware at stringer attachment. Page SP1, Detail 6 specifically calls out LSCZ hangers.
 2. Per approved plans (Page SP1 – Wood Species & Fastener Notes), all exterior stair framing, stringers, posts, handrails, treads, risers, and blocking shall be pressure-treated Douglas fir-larch or approved naturally decay-resistant wood, No. 2 grade or better.
 3. Page SP1, Detail 2 – Striping of all treads to be completed.
 4. Designer to address attachment of new stairs to existing building; detail to be provided.
 5. Complete installation of handrails.
 6. A full final inspection will be required to verify tread depth, riser heights, guardrail height, spacing of guardrail supports, wood infill, and structural attachment.
- **Please note: Any deviations from the approved plan set must be reviewed and approved by the architect or engineer of record and the City.*

- Confirm that all approved materials, methods, and contractors are in place so that work may proceed promptly once construction is authorized to resume.

This will ensure that, once a determination is made, everyone is fully prepared to proceed in accordance with the Commission's decision and approved plans. A defined project schedule will also be established to bring the project to completion.

Should you have any questions in the meantime please do not hesitate to reach out to our team.

Sincerely,

Kimberly Hammack

City of Turlock- Building Division

156 S Broadway Ste 130 Turlock, CA 95380

P 209.668.5560 Ext: 2207

F 209.668.5107

Khammack@turlock.ca.us

cityofturlock.org

EXHIBIT: V

The Building & Safety Division is open Monday through Friday from 8 AM to 5 PM, excluding holidays. Please be advised that making an appointment is strongly encouraged to ensure that the necessary staff is available to assist you.

For more information or to schedule an appointment, you can contact the Building Division by calling (209) 668-5560 or by emailing building@turlock.ca.us.

JOB SITE ADDRESS: 290 N THOR ST		OWNER: ARMANDO & MARIA GARCIA		PERMIT NO: 2025-00001123	
BUILDING: FO - FORMS/FOUNDATION LA - LATH FR - FRAME RER - REROOF HD - HOLDOWNS BB - BOND BEAM IN - INSULATION FA - FINAL		PLUMBING: ROP - ROUGH W - WATER TOP - TOP OUT S - SEWER GTP - GAS TEST		SWIMMING POOLS: SBS - STEEL/BOND PDS - PRE DECK PPS - PRE PLASTER HTR - HEATER G - GAS	
		ELECTRICAL: TPP - TEMP POWER POLE SER - SERVICE CHE - CHANGE		FIRE SPRINKLERS: SP - SPRINKLERS	
DESCRIPTION OF WORK				INSPECTION TYPE	DATE
REPAIR/REPLACE 2 STAIRS FOR APARTMENT BUILDING PER COMPLAINT				WOOD FLOOR:	INSPECTOR
				ADDRESS - TOILET	
				FOUNDATION - FORMS - SETBACK	
INSPECTORS NOTES				UNDER FLOOR FRAMING	
				PLUMBING - HEATING	
				FLOOR INSULATION	
				SLAB FLOOR:	
				UNDER SLAB PLUMBING - TOILET	
				FOOTING - FORMS - SETBACK	1.28.26 #10
				UFER GROUND - GROUND ROD	
4-13-26 Final inspection was performed on 4-10-26 - Detail for attachment of stairs to balcony in folder & letter to alternative treatment of non-pressure treated wood - ED				FRAME:	
				ROOF NAIL/PRE-ROOF	
				SHEAR	
				HOLDOWNS	
				ROUGH ELECTRICAL	
				ROUGH PLUMBING	
				ROUGH HEATING/VENTILATING	
				FRAME OK - PLACE INSULATION	
				INSULATION OK - PLACE WALLBOARD	
				WALLBOARD OK - PLACE TAPE	
				EXTERIOR LATH OK - PLACE STUCCO	
				SHOWER PAN	
				FIRE SPRINKLERS:	
EXHIBIT: W				SUSPENDED CEILING:	
				OTHER:	
				TEMP POWER (POLE)	
				SEWER	
				WATER	
				GAS TEST	
				SWIMMING POOL - STEEL/BONDING	
				PRE DECK	
				FENCE - PRE PLASTER	
				ELECTRIC TAG: PERM TEMP	
				GAS TAG: PERM TEMP	
				FINAL INSPECTION:	4-13-26 #10

Katie Quintero

Katie Quintero <KQuintero@turlock.ca.us>
to: sds1@tutamail.com ▲

📧 Fri, Apr 17, 2026 • 3:11 PM

From

Katie Quintero <KQuintero@turlock.ca.us>

To

Shawn Sheridan <sds1@tutamail.com>

RE: Contaminated Administrative Record - Appeal of Permit #25-1123 - 290 N Thor St

Hello Mr. Sheridan,

I did not prepare the staff report, it was prepared and presented by Adrienne Werner. I will forward this information on to her as she will also be the one who will write the Council staff report. Thank you.

Katie

EXHIBIT: X

From: Shawn Sheridan <sds1@tutamail.com>

Sent: Thursday, April 16, 2026 4:23 PM

To: Katie Quintero <KQuintero@turlock.ca.us>

Cc: Sds1 <sds1@tutamail.com>

Subject: Contaminated Administrative Record - Appeal of Permit #25-1123 - 290 N Thor St

Planning Manager Quintero,