December 7, 2021

Re: Correction Action Required and October 25, 2021 Health and Safety Inspection at 5733 and 5601 San Leandro Street, APN #041 38480 130 and APN #041 38480 1404

Dear SLOCA Partnership Representatives Mr. Greer and Mr. Miller,

On October 25, 2021 City of Oakland staff from the Special Activity Permits Division, the Bureau of Building, and the Fire Prevention Bureau (collectively, “City staff”) conducted a Health and Safety Inspection at the above-listed parcels (collectively referred to as “Cannery Complex”).

During this inspection City staff observed extensive electrical system hazards and Building and Fire Code violations as summarized below:

(1) The main electrical service was overloaded to the extent that the PG&E transformer has collapsed;
(2) Additionally, the electrical rooms are not adequately providing safe entrance to and egress from the required working space;
(3) Several areas contain equipment rendering the need to classify the space/s as Hazardous locations per all applicable codes.
(4) Engineered load calculations, and field check to verify that all current and projected loads are included, shall be required before a permit is issued.
*(5) Approximately nine portable industrial size generators were installed to supply power to the various tenants without City-required permits and inspections.

Due to lack of time and access to all areas, this is a partial list only. Additional violations will be included as they are verified. Also note that we conducted inspections earlier this year followed up with mailing Notices of Violation (see attachment) to the above-referenced Denver, Colorado address these notices were returned to the City without receipt.

For the noted electrical hazards, you will need to take corrective actions to bring the electrical system into code compliance and make the system safe. As an immediate measure, the City
requires that you submit an electrical engineer plan showing the current electrical system in place. Further, City staff will need to conduct additional inspection(s) of the electrical system to determine the extent of the hazards and establish an appropriate Compliance Plan to bring the system up to code. You will need to submit permits and the City will need to conduct associated field checks to verify the conditions presented by the required plans and there will be associated inspection fees. Please contact either Inspector Jorge Reyes (510-238-6215, jreyes@oaklandca.gov) or Joel Garcia (510-238-6253, jgarcia@oaklandca.gov) to arrange for the additional inspection and for submission of the required electrical system plan.

In terms of the generators in operation, they will need to be approved for interim use by the Fire Prevention Bureau. Please contact Fire Inspection Supervisor Anette Bouleware at 510-238-7491, aboulware@oaklandca.gov, to apply for authorization of the generators. Also be advised that in evaluating approval of the generators for interim use, the Fire Prevention Bureau will need to coordinate with Bureau of Building to ensure the use of the generators is compliant with all relevant codes.

After these immediate areas of concern are addressed, the City will evaluate the state of the rest of the Cannery Complex's building, electrical, mechanical, and plumbing systems. Please be advised that failure to work with the City and take meaningful corrective measures to bring the identified issues into code compliance will result in the City seeking any and all appropriate legal remedies, including but not limited to civil and administrative remedies such as fines, criminal penalties, suspension or revocation of any operational or occupancy permits, and removal of the generators.

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1 Relevant code provisions the Bureau of Building must ensure compliance with, include the following:

- Oakland Municipal Code Section 15.08.260.C (Mechanical and electrical systems (HSC Section 17910 et seq.), which states in relevant part: "[a]ll electrical equipment, wiring, appliances, and fixtures shall be installed and maintained in a safe manner in accordance with the Oakland Building Construction Code and all other applicable laws. All electrical equipment, wiring, and fixtures shall be of an approved type. Where there is electrical power available within 300 feet of any residential building or structure, such building or structure shall be connected to such electrical power.

- Section 2702 (Section 2702 Emergency and Standby Power Systems) of the 2019 California Electrical Code, which provides in relevant part:
  - 2702.1 Installation Emergency power systems and standby power systems shall comply with Sections 2702.1.1 through 2702.1.7.
  - 2702.1.1 Stationary Generators. Stationary emergency and standby power generators required by this code shall be listed in accordance with UL 2200.
  - 2702.1.2 Electrical. Emergency power systems and standby power systems required by this code or the California Fire Code shall be installed in accordance with the California Fire Code, NFPA 70, NFPA 110 and NFPA 111.
We thank you in anticipation of your cooperation,

G. M

Gregory Minor
Assistant to the City Administrator
gminor@oaklandca.gov

Richard Fielding
Principal Inspection Supervisor
Bureau of Building
rfielding@oaklandca.gov

Felicia Wanzo-Bryant
Assistant Fire Marshal
Fire Prevention Bureau
fwanzobryant@oaklandca.gov

Cc:

JCM Construction Inc.
CSLB #814254
14719 MORAGA AVE
LOS BANOS, CA 93635
415-215-1698
(application B2100898)

JJ Construction & Design Inc.
CSLB #945727
3220 SHEFFIELD AVE
OAKLAND, CA 94602
510-680-0968
(application B2104302)
PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years. My business address is 1 Frank Ogawa Plaza, Oakland, California 94612.

1) Correction Action Required Notice
2) Copy of Notice of Violation

☐ by placing the document listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Oakland, California addressed as set forth below.

☐ by placing the document listed above in a sealed envelope with postage thereon fully prepaid, certified mail, return receipt requested, in the United States mail at Oakland, California addressed as set forth below.

7017 1070 0000 8956 5570, 7017 0000 8956 5556, 7017 1071 0000 8956 5563

☐ by causing personal delivery by _______________ of the document(s) listed above to the person(s) at the address(es) set forth below.

☐ by personally delivering, at my business address above, the document(s) listed above to the person(s) set forth below.

☐ by causing such envelope to be sent by Federal Express/ Express Mail, Next Day Delivery.

☐ By facsimile to

☒ Via email: bruce@greensagemb.com; ken@greensagemb.com

Ken Greer
Bruce Miller
5733 SLOCA Partnership
5733 San Leandro St.
Oakland, CA 94621

Ken Greer
Bruce Miller
5733 SLOCA Partnership
5601San Leandro St.
Oakland, CA 94621

Ken Greer
Bruce Miller
5733 SLOCA Partnership
4050 Globeville Rd.
Denver, CO 80216

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

Executed on December 7, 2021, at Oakland, California.

Nancy Marcus
NOTICE OF VIOLATION

July 30, 2021

5601 SLOCA LLC
4050 GLOBEVILLE RD,
DENVER CO, 80216

Code Enforcement Services inspected your property on 7/6/21 and confirmed:

☐ that the violations of the Oakland Municipal Code (OMC) identified below (p. 2) are present and must be remedied as specified under “Required Actions”. Photographs of the violations are enclosed where applicable.

☐ that work was performed without permit or beyond the scope of the issued permit and you are receiving this Notice of Violation because you did not get the required permit within three (3) days of receiving the Stop Work Order. You must contact the inspector indicated below before the Re-inspection Date to stop further code enforcement action.

To stop further code enforcement action, you must correct all violations and contact Inspector Robert Walker who is assigned to your case, before the re-inspection to schedule an inspection. Your inspector is available by phone at 510-238-4773 and by email at rwalker@oaklandca.gov.

If the Property Owner Certification is included in this notice you may, in the alternative, complete the form and submit along with photographs of the corrected violations at least three (3) days prior to the reinspection date.

If it is necessary for tenants to temporarily relocate so that repairs can be made, you are required to comply with all state and local laws regarding the relocation of tenants included the Code Compliance Relocation Program (OMC 15.60.010).

If all violations have not been corrected at the time of re-inspection:

• You will be charged for inspection and administrative costs that can total $2,718.00.
• Administrative citations may be assessed against you beginning the day of the re-inspection and continuing until all violations are corrected. Citations are $100 the first day, $250 the second day, and $500 for each day thereafter until all violations are cured up to a total of $5,000.
• The property may be declared a public nuisance.
• The City may abate Property Blight using City contractors and you will be charged for the contracting and administrative costs.
• The Notice of Violation may be recorded on your property title with associated fees for processing and recording.

Note: If a complaint is filed regarding the same or similar violation(s) and it is confirmed within 24 months from the date of this notice an immediate assessment of $1,176.00 will be charged as a Repeat Violation. In addition, if violation(s) remain uncorrected after you receive a Re-inspection notice, further enforcement action(s) will include additional fees.
Violations

Property Address: 5601 SAN LEANDRO ST (Rear warehouse)  
Complaint #: 2103061

<table>
<thead>
<tr>
<th>Property Maintenance (Blight)</th>
<th>Description of Violation</th>
<th>Required Action</th>
<th>OMC Section</th>
</tr>
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<tbody>
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<thead>
<tr>
<th>Building Maintenance (Housing)</th>
<th>Description of Violation</th>
<th>Required Action</th>
<th>OMC Section</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Unapproved alteration to rear warehouse (interior alterations, new electrical work) creating a cannabis grow house.</td>
<td>Obtain permits, inspections and approvals.</td>
<td>15.08.250, 15.08.040, 15.08.140</td>
</tr>
<tr>
<td></td>
<td>Unapproved electrical work being installed. (electrical panels, conduits, electrical wiring)</td>
<td>Obtain permits, inspections and approvals.</td>
<td>15.08.260, 15.08.040, 15.08.140</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning (Minor)</th>
<th>Description of Violation</th>
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<th>OMC Section</th>
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<table>
<thead>
<tr>
<th>Zoning (Major)</th>
<th>Description of Violation</th>
<th>Required Action</th>
<th>OMC Section</th>
</tr>
</thead>
<tbody>
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<td>Obtain permits, inspections and approvals.</td>
<td>15.08.250, 15.08.040, 15.08.140</td>
</tr>
</tbody>
</table>

Zoning Violations: Major Zoning violations require a Zoning Determination before an appeal to the Planning Commission. If you wish to appeal a Major Zoning violation, please see the process or filing for a Zoning Determination in the Appeal Section of this notice.
Appeal Information

You have a right to appeal.

In order to appeal any violations described in this Notice of Violation, you must complete the enclosed Violation Appeal form and submit it with supporting documentation along with the applicable appeal fee(s) by the Appeal deadline. The following describes the process for appealing each type of violation described in the Notice of Violation. In some cases, separate appeal processes may be required.

The Appeal Deadline is: 8/24/21

The Bureau of Building must receive your written appeal by the Appeal Deadline, or you will waive your right to administrative review of all violations described in this Notice of Violation. Incomplete appeals including, but not limited to an oral notification of your intention to appeal, a written appeal postmarked but not received by us within the prescribed deadline or a written appeal received by us without a filing fee are not acceptable and will be rejected.

Failure to file a timely appeal will result in the determinations made in this Notice of Violation becoming the City's final decision on this matter. The decision becomes final on the day following the appeal deadline. Once the decision is final, it can be appealed by filing a petition for writ of mandate with the Superior Court no later than the 90th day following the date on which decision becomes final. The time within which judicial review must be sought is governed by Cal. Code of Civil Procedure 1094.6.

For Property Maintenance (Blight), Building Maintenance (Housing) and Minor Zoning Appeals: A filing fee in the amount of $116 is due at the time of submittal. Payments may be made in person at the Bureau of Building, 250 Frank Ogawa Plaza, 2nd Floor, or by phone by calling 510-238-4774 (Please include the receipt number and date on your appeal). MasterCard and Visa are accepted. A hearing will be scheduled before an independent hearing officer.

For Zoning Determinations/Appeals of Major Zoning violations: If you wish to appeal a Major Zoning violation(s), you must submit the enclosed Appeal form requesting a Zoning Determination to the Zoning Manager. Your supporting documentation to the Zoning Manager should explain a) why the use of your property conforms to the zoning designation for the property or b) why the activity should be approved as set forth in Planning Code Title 17. A filing fee in the amount of $434 is due at the time of submittal in the manner described above. Additionally, a $434 per hour fee will be assessed as needed to complete the review of the determination. The determination fee is not refundable once the letter has been issued, regardless of outcome.

The Zoning Manager will issue written decision within 45 days from the end of the appeal period. If you disagree with the decision you may appeal to the Planning Commission within 10 days from the written decision. Unless special circumstances require otherwise, you will be expected to work with the Bureau of Building to resolve the Building Code violations (s) and any Minor Zoning Violation(s) during the Major Zoning appeal process.

Sincerely,

Robert Walker
Digitally signed by Robert Walker

Specialty Combination Inspector
Planning and Building Department

Attached as applicable:

- Blight brochure
- Property Owner Certification
- Lead Paint brochure
- Photographs
- Housing - Relocation Assistance Program
- Description of Property Maintenance Code Sections
- Residential Code Enforcement brochure
- Mold and Moisture brochure
- Undocumented Dwelling Units brochure
- Stop Work brochure
- Investor Owned Property brochure
- Vehicular Food Vending brochure
- Pushcart Food Vending brochure
- Smoke Alarms brochure
- Condominium Conversion brochure
- Foreclosed and Defaulted Property brochure

June 2021
CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA • SUITE 2340 • OAKLAND, CALIFORNIA 94612-2031

Planning and Building Department
Bureau of Building
Building Permits, Inspections and Code Enforcement Services
(510) 238-3381
inspectioncounter@oaklandca.gov

PROPERTY OWNER CERTIFICATION

CORRECTED OR REMOVED VIOLATIONS

Date: July 30, 2021

Property: 5601 SAN LEANDRO ST (Rear warehouse)
Parcel no. 041 384891404
Case no.: 2103061
Owner: 5601 SLOCA LLC

I certify that I have corrected the following violation(s) identified in the Notice of Violation I received from the City of Oakland.

I understand that if a complaint is filed regarding the same or similar violation(s) and it is confirmed within 24 months from the date of this notice an immediate assessment of $1,226.00 will be charged as a Repeat Violation fee. If the violation remains uncorrected after I receive Re-inspection notice further enforcement action(s) will be taken that will include additional fees.

I have corrected the following violations identified in the Notice of Violation I received from the City of Oakland:

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

July 30, 2021

Print Name Date

Property Owner Signature

(_______) Day time telephone

E-mail

June 2021
### Assessor Parcel Record

<table>
<thead>
<tr>
<th>Format Parcel</th>
<th>Property Address</th>
<th>Owner Name</th>
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<tbody>
<tr>
<td>41-3848-14-4</td>
<td>5601 SAN LEANDRO ST, OAKLAND, 94621</td>
<td>5601 SLOCA LLC</td>
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<th>Attention</th>
<th>Care Of</th>
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<tbody>
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<td>4050 GLOBEVILLE RD, DENVER CO, 80216-4906</td>
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<td></td>
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<tr>
<th>Use Code</th>
<th>Recorder Number</th>
<th>Recorder Date</th>
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<td>Light industrial</td>
<td>2016-243020</td>
<td>09/23/2016</td>
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<th>Last Document Input Date</th>
<th>Deactivation Date</th>
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### Exemption Code

### Assessments

### Property Details

### Property List with the Street Name: SAN LEANDRO ST