



MINUTES

October 10, 2023

BOARD OF APPEALS HEARING

9:00 a.m.

City Council Chambers

311 Vernon Street

Roseville, CA

1. CALL TO ORDER

Chairperson Arthur Pauly, Jr. called the hearing to order at 9:01 a.m. in the City Council Chambers.

2. ROLL CALL (SILENT)

The following Hearing Panel members were present:

Arthur Pauly, Jr.
Andrea Seminer
Bruce Hagler

The following Staff members were present:

Travis Cochran, Deputy City Attorney
Kelly Aye, Board Secretary

3. IDENTIFICATION OF CHAIR

Chairperson for the October 10, 2023 hearing was Arthur Pauly, Jr.

4. PLEDGE OF ALLEGIANCE

Chairperson Arthur Pauly, Jr. led the audience in the Pledge of Allegiance.

5. PUBLIC COMMENT

There was no public comment.

Chairperson Arthur Pauly, Jr. put the hearing in recess to allow 15 minutes for parties from both matters to arrive.

6. MATTERS TO BE HEARD

6.1. Citation No.: 21158

Appellant: Michael Jacques – 703 Sawyer Court

- Roseville Municipal Code Section 7.12.010 Leash Law
- Roseville Municipal Code Section 7.12.050 Aggressive Behavior
- Roseville Municipal Code Section 7.16.010 Failure to License

At 9:17 a.m., the complainant, Christina Amaya, was not present. According to Section VII(B) of the rules for Administrative Hearing Procedures, if the Complainant fails to appear for the hearing within 15 minutes after the hearing commences, the responsible party's appeal will be automatically granted.

In regard to Administrative Citation No. 21158, panel member Andrea Seminer made a motion and seconded by panel member Bruce Hagler the motion to grant the appeal and dismiss all of the charges because the Complainant failed to appear.

AYES: Arthur Pauly, Jr., Bruce Hagler, Andrea Seminer

NOES: none

Appellant, Michael A. Jacques, was granted permission to stand and speak on behalf of his appeal. The Appellant expressed concern regarding the standard of proof and stated that the preponderance of the evidence standard is insufficient.

Deputy City Attorney Travis Cochran provided clarification to the Panel Members that the appeals brought before them are not criminal proceedings for prosecution of a misdemeanor or infraction. They are administrative proceedings for administrative citations therefore the burden of proof standard stands at preponderance of the evidence.

Chairperson Arthur Pauly, Jr. signed the decision form. The decision form was handed back to the clerk to mail to the appellant since the appellant was no longer present at the hearing.

6.2. Citation No.: 21157

Appellant: Ivan Derkach – 1496 Arrow Wood Ln

- Roseville Municipal Code Section 7.36.070 Bees – Hive Limitations, Second Offense

- Roseville Municipal Code Section 7.36.080 Bees – Distance from Building, Second Offense

Neither party was present for the Appeal of citation no.: 21157. According to the Administrative Standards for Administrative Hearing Procedures, if both parties fail to appear for the hearing within 15 minutes after the hearing commences, the appeal hearing will be postponed to a later date to be determined by the City Attorney's office.

In regard to Administrative Citation No. 21158, Chairperson Arthur Pauly, Jr. announced that the hearing would be postponed to a later date and time to be determined by the City Attorney's office.

7. ADJOURNMENT

A motion was made by panel member Bruce Hagler and seconded by Andrea Seminer to adjourn the hearing.

AYES: Arthur Pauly, Jr., Bruce Hagler, Andrea Seminer

NOES: none

Chairperson Arthur Pauly, Jr. adjourned the October 10, 2023 hearing at 9:24 a.m.

Kelly K. Aye
Board Secretary