



MINUTES

June 14, 2022

BOARD OF APPEALS HEARING

9:00 a.m.

City Council Chambers

311 Vernon Street

Roseville, CA

1. CALL TO ORDER

Chairperson Pete Constant called the meeting to order at 9:00 a.m. in the City Council Chambers.

2. ROLL CALL (SILENT)

The following Hearing Panel members were present:

Joseph Bales

Pete Constant

Arthur Pauly, Jr.

The following Staff members were present:

My Tien Doan Deputy City Attorney

Lynda Risucci Legal Clerk

3. IDENTIFICATION OF CHAIR

Chairperson for the June 14, 2022 hearing was Pete Constant.

4. PLEDGE OF ALLEGIANCE

Chairperson Pete Constant led the audience in the Pledge of Allegiance.

5. PUBLIC COMMENT

A member from the public, James Hansen, offered public comment.

6. SWEAR IN

Chairperson Pete Constant administered the Oath to those in attendance who would be offering testimony at the hearing.

7. MATTERS TO BE HEARD

7.1. Citation No. 21187

Appellant: Sarah Long

- Roseville Municipal Code Section 7.25.010, Animal Noise

A. Staff Report:

Animal Control Officer Gabriel Sorenson offered testimony in regard to the staff materials in Exhibit A and answered panel questions.

Per RMC Section 2.50.060(D), the Staff Report was submitted to the City of Roseville Attorney's Office prior to the hearing, and was provided to the Appellant and the panel members in advance of the hearing.

Exhibit A:

- Staff Report including case history and narrative

Complainant's Statement:

Complainant Kristin Tompkins presented Exhibit B, and offered testimony in support of the complaint and answered panel questions.

Exhibit B:

- Phone Records of Briand Bernier and Kristine Tompkins
- Written statement of Haley Emmett
- Outline – Mariska Howling Issue with neighbor at 225 Sierra Boulevard.
- Twenty-two (22) video clips

B. Appellant's Response:

Exhibit C:

(Appellant's Exhibit C was provided to the panel in advance of the hearing for review.)

- Request for Hearing form, received by the Roseville City Attorney's Office on April 13, 2022.

Exhibit D:

- Written Statement of Brenda Jackson
- Written statement of Brenda Perdue
- Written statement of Leonard Vaught
- Written statement of Leslie Mareucilli

Appellant Sarah Long offered testimony in support of the appeal and answered panel questions.

C. Rebuttals and Panel Questions:

Witness Briand Bernier and Complainant Kristin Tompkins offered rebuttal testimony.

Witness Brenda Jackson offered rebuttal testimony and answered panel questions.

Appellant Sarah Long answered panel questions.

D. Panel Decision:

The panel discussed the evidence and testimony presented for Administrative Citation No. 21187.

In regard to Roseville Municipal Code Section 7.25.010, a motion was made by Arthur Pauly, Jr. and seconded by Joseph Bales to deny the appeal and uphold the citation because the City/Complainant proved by a preponderance of the evidence that the violation occurred and that the Appellant is the responsible party.

The motion passed with the following vote:

AYES: Joseph Bales, Pete Constant, Arthur Pauly, Jr.

NOES: None

Chairperson Pete Constant signed the decision form, asked the Appellant to see staff for the paperwork, and informed the parties that they may file a petition for review with the Superior Court in Placer County within 20 days.

7.2. Citation No.: 21194

Appellant: Debra Burford

- Roseville Municipal Code Section 7.12.010, Animal at Large

At 9:34 a.m., the Complainant, William Espanola, was not present. According to the Administrative Standards procedures, if the Complainant fails to appear for the hearing within 15 minutes after the hearing commences, the Appellant's appeal will be automatically granted.

A. Staff Report:

Animal Control Officer Sarah Cooper was present but did not offer testimony because the Complainant was not present.

Per RMC Section 2.50.060(D), the Staff Report was submitted to the City of Roseville Attorney's Office prior to the hearing, and was provided to the Appellant and the panel members in advance of the hearing.

Exhibit A:

- Staff Report including case history and narrative

B. Appellant's Response:

Exhibit C:

(Appellant's Exhibit C was provided to the panel in advance of the hearing for review.)

- Request for Hearing form, received by the Roseville City Attorney's Office on April 14, 2022.

C. Rebuttals and Panel Questions:

No rebuttal testimony or panel questions were presented.

D. Panel Decision:

The panel discussed the evidence and testimony presented for Administrative Citation No. 21194.

In regard to Roseville Municipal Code Section 7.12.010, a motion was made by Joseph Bales and seconded by Arthur Pauly, Jr. to grant the appeal and dismiss the citation because the Complainant failed to appear.

The motion passed with the following vote:

AYES: Joseph Bales, Pete Constant, Arthur Pauly, Jr.

NOES: None

Chairperson Pete Constant signed the decision form, which includes notice to the parties that they may file a petition for review with the Superior Court in Placer County within 20 days.

8. ADJOURNMENT

A motion was made by Arthur Pauly, Jr. and seconded by Joseph Bales to adjourn the hearing.

AYES: Joseph Bales, Pete Constant, Arthur Pauly, Jr.

NOES: None

Chairperson Pete Constant adjourned the June 14, 2022 hearing at 9:35 a.m.

Lynda Risucci
Legal Clerk