

Minutes
City of Roseville
Hearing Panel
January 28, 2016
3:00 p.m.
City Council Chambers
311 Vernon Street

1) Designation of Chair

Chairperson for January 28, 2016 was Scott Sanford.

2) Call to order

Chairperson Sanford called the meeting to order at 3:00 p.m. in the City Hall Council Chambers and led the audience in the Pledge of Allegiance.

3) Roll Call

The following Hearing Panel members were present:

Bruce Hagler
Brian Stenklyft
Scott Sanford

The following Staff members were present:

Joseph T. Speaker	Deputy City Attorney
Pamela Sisk	Legal Clerk

4) Chairperson Sanford reviewed the agenda.

5) Public Comment

No public comment was offered.

Chairperson Sanford administered the Oath.

6) Citation Appeals

- | | |
|-------------------|----------------------------------|
| ▪ Citation #16150 | Appellant: Steve Perez |
| ▪ Citation #16148 | Appellant: Andre and Trina Arjil |
| ▪ Citation #16160 | Appellant: Azzam Larab |

Citation #16150

Appellant: Steve Perez

Roseville Municipal Code Section 16.35.110(13), dangerous building

1. Staff report:

Code Enforcement Inspector Chris Gales presented his staff report and answered panel questions.

Exhibits A – Written testimony of case narrative and copy of Code Enforcement Notice dated 10/01/2015, Administrative Permit Staff Report dated March 30, 2001, Project Vicinity Map, Permit Application and Inspection sheet, plot plans, photograph of building

2. **Appellant's response:**

Steve Perez offered testimony in support of the appeal and answered panel questions.

Exhibits B – Notice of Hearing Date letter from City of Roseville to Steve Perez dated December 17, 2015 and copy of Procedures for Case Presentation

3. **Rebuttals and questions by panel:**

The panel asked Code Enforcement Inspector Chris Gales if he would like to provide rebuttal testimony, which he declined. Having had the City decline rebuttal testimony, Steve Perez had no testimony to rebut.

4. **Panel discussion/decision:**

Motion by Brian Stenklyft, seconded by Bruce Hagler to deny the appeal and uphold the charge because the City proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party.

AYES: Bruce Hagler, Scott Sanford, Brian Stenklyft

NOES: none

5. Chairperson Sanford signed the decision form and asked Steve Perez to see staff for the paperwork and informed him that he may file a petition for review with the Superior Court in Placer County within 20 days.

Citation #16148

Appellant: Andre and Trina Arjil

Roseville Municipal Code Section 9.12.150, removing receptacles

At 3:15 p.m., the Appellant was not present. According to section VII(A) of the rules for Administrative Hearing Procedures, if the responsible party fails to appear for the hearing within 15 minutes after the hearing commences, the responsible party's appeal will be automatically denied.

1.. **Panel discussion/decision:**

Motion by Brian Stenklyft, seconded by Bruce Hagler to deny the appeal and uphold the charge because appellant failed to appear.

AYES: Bruce Hagler, Scott Sanford, Brian Stenklyft

NOES: none

Citation #16160

Appellant: Azzam Larab

Roseville Municipal Code Section 19.08.080, residential use type – lodging, third offense
Roseville Municipal Code Section 19.08.090, residential use type – lodging, third offense

1. Staff report:

Code Enforcement Inspector Ranjit Dosanjh presented her staff report and answered panel questions.

Exhibit A – Written testimony of case narrative, letter from City of Roseville to Kristine and Azzam Larab dated June 25, 2015, exhibit of online review and advertisement of VRBO property listing, Administrative Citation Warning dated 08/06/2015, Administrative Citation Warning dated 08/24/2015, calendar of property rental

Exhibit B – Title 19, Article II, Chapter 19.08 Use Type definitions, Property Report for 109 Pleasant Street, pages 2-13 through 2-2-17 of the Downtown Code for the Downtown Specific Plan, RMC section 19.08.080 and RMC section 19.08.090

2. Appellant's response:

Azzam "Sam" Larab offered testimony in support of the appeal and answered panel questions.

3. Rebuttals and questions by panel:

Linda McDonald offered testimony in support of the complaint and answered panel questions.

Sam Larab offered rebuttal testimony and answered panel questions.

Sherri Walker offered testimony in support of the complaint and answered panel questions.

Code Enforcement Inspector Ranjit Dosanjh was recalled by the panel to answer questions.

Sam Larab was offered the opportunity to respond to rebuttal testimony, but declined.

4. Panel discussion/decision:

Motion by Brian Stenklyft to uphold both violations on the citation but waive the fines in the interests of justice. No second on the motion was made. The motion died.

In regards to the violation of RMC Section 19.08.080, motion by Bruce Hagler, seconded by Brian Stenklyft to deny the appeal and uphold the charge because the City/Complainant proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party; and in the same motion, regarding the violation of RMC Section 19.08.090, to uphold the citation but waive the fine in the interests of justice.

AYES: Bruce Hagler, Scott Sanford, Brian Stenklyft

NOES: none

5. Chairperson Sanford signed the decision form and asked Azzam Larab to see staff for the paperwork and informed him that he may file a petition for review with the Superior Court in Placer County within 20 days.

7) Adjournment

Motion by Bruce Hagler, seconded by Brian Stenklyft to adjourn the January 28, 2016 Appeal Hearing meeting.

AYES: Bruce Hagler, Scott Sanford, Brian Stenklyft

NOES: none

Chairperson Sanford adjourned the meeting at 4:06 p.m.

Pamela Sisk
Legal Clerk