

Minutes
City of Roseville
Hearing Panel
May 10, 2016 at 9:00 a.m.
City Council Chambers
311 Vernon Street

1) Designation of Chair

Chairperson for the May 10, 2016 was Scott Sanford.

2) Call to order

Chairperson Sanford called the meeting to order at 9:00 a.m. in the City Council Chambers and led the audience in the Pledge of Allegiance.

3) Roll Call

The following Hearing Panel members were present:

Dan Myers
Scott Sanford
Sean Wallentine

The following Staff members were present:

Joseph Speaker	Deputy City Attorney
April Esparza	Legal Clerk
Pamela Sisk	Legal Clerk

4) Chairperson Sanford reviewed the agenda.

5) Public Comment

No one from the public offered any public comment.

Chairperson Sanford administered the Oath.

6) Citation Appeals

- | | |
|-------------------|----------------------------------|
| ▪ Citation #16365 | Appellant: Roseville Home Start |
| ▪ Citation #14596 | Appellant: Jennifer L. Matsuoka |
| ▪ Citation #14639 | Appellant: Corrie L. Harshbarger |

Citation #16365

Appellant: Roseville Home Start

Roseville Municipal Code Section 16.35.110(13), dangerous building

Chairperson Sanford administered the Oath to Ann Engelbrecht, who arrived late at 9:15 a.m. and did not take the Oath at the beginning of the meeting.

1. Staff report:

Code Enforcement Inspector Lorne Green presented his staff report and answered panel questions.

Exhibit A – Building Inspection Violation List for 410 Riverside, copy of Citation #16365

2. Appellant's response:
Ann Engelbrecht offered testimony on behalf of Roseville Home Start in support of the appeal and answered panel questions.
3. Rebuttals and questions by panel:
Lorne Green offered rebuttal testimony and answered panel questions.
4. Panel discussion/decision:
Motion by Dan Myers to deny the appeal and uphold the charge because the City proved by a preponderance of the evidence that the violation(s) occurred and that the appellant is the responsible party. No second was made. Motion died.

Motion by Dan Myers, seconded by Sean Wallentine to uphold the citation but waive the fine in the interests of justice.

AYES: Dan Myers, Scott Sanford, Sean Wallentine

NOES: none

5. Chairperson Sanford signed the decision form and asked Ann Engelbrecht to see staff for the paperwork and informed her that she may file a petition for review with the Superior Court in Placer County within 20 days.

Citation #14596

Appellant: Jennifer Matsuoka

Roseville Municipal Code Section 7.25.010, animal noise

Prior to the commencement of the meeting, the complainant had contacted the City Attorney's office and requested the citation be dismissed. The appellant was notified by phone of the dismissal, and neither the appellant nor the complainant were present at the hearing. The item was dropped from the agenda.

Citation #14639

Appellant: Corrie L. Harshbarger

Roseville Municipal Code Section 7.25.010, animal noise, two counts

1. **Staff report:**
Animal Control Officer Dalton presented her staff report and answered panel questions.

Exhibit A – Written Staff Report containing case narrative

William Cuellar offered testimony in support of the complaint and answered panel questions.

Exhibit B – Letter from Carla Cuellar dated May 10, 2016
Exhibit C – Barking Log (April 9, 2016 – May 7, 2016)

2. Appellant's response:
Corrie Harshbarger offered testimony in support of the appeal and answered panel questions.

3. Rebuttals and questions by panel:
William Cuellar offered rebuttal testimony and answered panel questions.

Corrie Harshbarger offered rebuttal testimony and answered panel questions.

4. Panel discussion/decision:
Corrie Harshbarger was recalled to the podium to answer panel questions, but offered further testimony as well.

William Cuellar was allowed to offer rebuttal testimony.

Animal Control Officer Dalton was recalled to the podium to answer panel questions.

Panel discussion resumed.

Motion by Sean Wallentine, seconded by Dan Myers to uphold the citation but waive the fine in the interests of justice.

AYES: Dan Myers, Scott Sanford, Sean Wallentine

NOES: none

5. Chairperson Sanford signed the decision form and asked Corrie Harshbarger to see staff for the paperwork and informed her that she may file a petition for review with the Superior Court in Placer County within 20 days.

7) Adjournment

Motion by Dan Myers, seconded by Sean Wallentine to adjourn the May 10, 2016 Appeal Hearing meeting.

AYES: Dan Myers, Scott Sanford, Sean Wallentine

NOES: none

Chairperson Sanford adjourned the meeting at 9:45 a.m.

Pamela Sisk
Secretary