

APPEALS BOARD

Chair, Natasha Basso
Vice Chair, Joan Stewart
Member, John Dinan
Member, Taide Zamora
Member, Benjamin Reuben
Alternate, Steve Link
Alternate, Michael Halterman



CITY OF RIVERBANK APPEALS BOARD HEARING

City Council Chambers
6707 Third Street • Suite B
Riverbank, CA 95367

The Appeals Board Hearings are NOT Televised.
They are RECORDED for the Record.

AGENDA

THURSDAY, SEPTEMBER 21, 2023 – 5:30 P.M.

(THE AGENDA PACKET IS ONLINE AT [HTTP://WWW.RIVERBANK.ORG/AGENDACENTER](http://www.riverbank.org/agendacenter). ADDITIONAL PUBLIC DOCUMENTS RELATING TO THE MEETING AND PROVIDED TO THE APPEALS BOARD ARE AVAILABLE FOR REVIEW OR COPYING AT RIVERBANK CITY HALL.)

1. CALL TO ORDER:

2. ROLL CALL:

3. CONFLICT OF INTEREST: *Any Board Member or Staff who has a direct Conflict of Interest on any scheduled agenda item to be considered is to declare their conflict at this time.*

4. PUBLIC COMMENTS (No action can be taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the Appeals Board. Individual comments will be limited to a **maximum of 3 minutes (or as stated by the presiding Officer)** and time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon

5. BUSINESS

Item 5.1: **Administrative Citation Appeal Hearings-** It is recommended that the Appeals Board consider each appeal request provided, receive any oral or written evidence presented by the Appellant and by the City, and determine whether to uphold or dismiss the related Administrative Citation issued by the City for violation of the Riverbank Municipal Code.

6. ADJOURNMENT

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted at the meeting location, on the North and South City Hall and The Riverbank Community Center public exterior bulletin boards, and the City's website 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.

Posted this September 18, 2023

/s/ *Gabriela Hernandez, City Clerk*



ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, and the Governor's Executive Order N-29-20, the City will make every effort to make reasonable modifications or accommodations from individuals with disabilities. Contact

the Administration Dept. at (209) 863-7122 or the City Clerk at cityclerk@riverbank.org at least (48) hours prior to the meeting to enable the City to make reasonable arrangements for accessibility.

NOTICE REGARDING NON-ENGLISH SPEAKERS

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank City Council/LRA Board shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language

RIVERBANK SPECIAL APPEALS BOARD

AGENDA ITEM NO. 5.1

SECTION 5: BUSINESS

Meeting Date:	September 21, 2023
Subject:	Administrative Citation Appeals Hearing
From:	Marisela H. Garcia, City Manager
Submitted by:	Gabriela Hernandez, City Clerk

RECOMMENDATION

It is recommended that the Appeals Board consider each appeal request and any oral or written evidence presented by the Appellant and by the City to determine whether to uphold or dismiss the related Administrative Citation issued by the City for violation of the Riverbank Municipal Code.

SUMMARY

Administrative citations are issued by Riverbank Police Services and City Staff primarily to gain compliance with State or Municipal Codes and regulations in a timely and efficient manner, as well as to protect the public health, safety and welfare of its citizens. In addition, it provides a method to hold parties responsible when they fail or refuse to comply with these provisions; it minimizes the expense and delay of pursuing compliance through the civil criminal justice system; and allows the City to partially recover its costs to bring the responsible party into compliance.

The City Clerk has received appeal requests (Request List attached) for Notice of Violations and related administrative citation fines issued to residents, by the City, that have been determined to have violated the Riverbank Municipal Code.

In accordance with Policy, a notice was sent via Electronic Mail and mailed via U.S. Postal Mail Service to each appellant that clearly indicated the date, time, location, and additional information of their scheduled hearing.

ATTACHMENTS

1. Appeal Hearings Request List for Consideration

ADMINISTRATIVE CITATION APPEALS HEARINGS LIST

SEPTEMEBR 21, 2023

Citation No.	NAME	DATE OF CITATION LETTER	RIVERBANK MUNICIPAL CODE	VIOLATION NO.	FINE	VIOLATION
2023-0635	Pavon, Marcus T	07/12/23	Fireworks Section 92.30 (B)	1 st	\$1,000 Fine (Hearing Deposit Paid \$500)	Use, Possession, Discharge of Illegal Fireworks
2023-0637	Bailey, Weston	07/12/23	Fireworks Section 92.30 (B)	1 st	\$1,000 Fine (Hearing Deposit Paid \$500)	Use, Possession, Discharge of Illegal Fireworks
2023-0650	Myers, Jason	07/13/23	Fireworks Section 92.30 (B)	1 st	\$1,000 Fine (Deposit Waived \$500)	Use, Possession, Discharge of Illegal Fireworks
2023-0633	Teves, Perlito	07/12/23	Fireworks Section 92.30 (B)	1 st	\$1,000 Fine (Deposit Waived \$500)	Use, Possession, Discharge of Illegal Fireworks
2023-0775	Pantoja, Martin Jr	08/09/23	Fireworks Section 92.30 (B)	1 st	\$1,000 Fine (Deposit Waived \$500)	Use, Possession, Discharge of Illegal Fireworks