



CITY OF RIVERBANK
SPECIAL APPEALS BOARD HEARINGS
 City Hall North • Council Chambers
 6707 Third Street • Suite B • Riverbank • CA • 95367
(In-Person Hearings ONLY; Masks are required)
The Appeals Board Hearings are not televised.



AGENDA

THURSDAY, DECEMBER 2, 2021 – 6:00 P.M.

(THE AGENDA PACKET IS POSTED AT THE CITY CLERK’S OFFICE AND AT WWW.RIVERBANK.ORG)

- CALL TO ORDER:** Chair Joan Stewart
- ROLL CALL:** Chair Joan Stewart
 (Quorum) Vice Chair Steve Link
 Appeals Board Member John Dinan
- (Substitution if needed) Mallorie Fenrich
 Natasha Basso
 Benjamin Reuben (Alternate Commissioner)

1. CONFLICT OF INTEREST
 Any Appeals 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.

2. 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** per person and each person may speak once during this time; time cannot be yielded to another person.

3. BUSINESS

Item 3.1: **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.

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 in accordance to the California Ralph M. Brown Act.

Posted this 30TH day of November, 2021

/s/ Annabelle H. Aguilar, CMC, City Clerk of the City of Riverbank

Notice Regarding Americans with Disabilities Act: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (209) 863-7122 or cityclerk@riverbank.org. Notification 72-hours before the meeting will enable the City to make reasonable arrangements to ensure any special needs are met. [28 CFR 35.102-35.104 ADA Title II].

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 Appeals 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 in English into the English language.

SPECIAL RIVERBANK APPEALS BOARD AGENDA ITEM NO. 3.1

SECTION 3: BUSINESS

Meeting Date:	December 2, 2021
Subject:	Administrative Citation Appeals Hearings
From:	Sean Scully, City Manager
Submitted by:	Annabelle H. Aguilar, CMC, 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 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 or 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 mailed via U.S. Postal 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
FOR DECEMBER 2, 2021**

CIT. #	NAME	DATE OF CITATION LETTER	Riverbank Municipal Code	VIOLATION NO.	FINE	VIOLATION
2021-0435	Guillermina Cebberos	07/22/21	Fireworks Section 92.30(B)	1st	\$1,000 fine (Hearing Deposit Paid \$500)	Use, Possession, Discharge of Illegal Fireworks
2021-0448	Guillermo Vasquez	07/22/21	Fireworks Section 92.30(B)	1st	\$1,000 fine (Hearing Deposit Paid \$500)	Use, Possession, Discharge of Illegal Fireworks
2021-0451	Ramiro and Laura Echevarria	07/22/21	Fireworks Section 92.30(B)	1st	\$1,000 fine (Hearing Deposit Paid \$500)	Use, Possession, Discharge of Illegal Fireworks
2021-0456	Rosa Guzman	07/22/21	Fireworks Section 92.30(B)	1st	\$1,000 fine (Hearing Deposit Paid \$500)	Use, Possession, Discharge of Illegal Fireworks
2021-0506	Olaya Vigil	08/10/21	Fireworks Section 92.30(B)	1st	\$1,000 fine (Hearing Deposit Paid \$500)	Use, Possession, Discharge of Illegal Fireworks