

MINUTES

**City of Roseville
Hearing Examiners & Board of Appeals
July 22, 2015 at 4:00 P.M.
Hutchinson Conference Room
Civic Center, 2nd Floor
311 Vernon Street
Roseville, CA 95678**

1. The semi-annual meeting of the Hearing Examiners and Board of Appeals was called to order by Chairperson Sharon Telles on Wednesday, July 22, 2015 at 4:01 p.m. in the Hutchinson Conference Room.

Chairperson Telles asked for a roundtable introduction of attendees.

2. **ROLL CALL:**

The following Board members were present:

Sean Wallentine
Sharon Telles
Richard DeMarchi
Brian Stenklyft
Don Lounsbury
Scott Sanford
Mark Elmquist
Dan Myers
Bruce Hagler

The following staff members were present:

Joe Speaker, Deputy City Attorney
Michelle Sheidenberger, Assistant City Attorney
Gretchen Hakala, Paralegal
Pamela Sisk, Legal Clerk
Bobby Alvarez, Water Conservation Worker
John Shannon, Water Efficiency Specialist
John Bennett, Animal Control Supervisor

3. **APPROVAL OF MINUTES**

- a. Motion by Scott Sanford, seconded by Sean Wallentine, that the minutes of February 11, 2015 be approved.

AYES: Sean Wallentine, Sharon Telles, Richard DeMarchi, Brian Stenklyft, Don Lounsbury, Scott Sanford, Mark Elmquist, Dan Myers, Bruce Hagler

NOES: none

4. **PUBLIC COMMENT**

No public comment was offered.

5. NEW BUSINESS

- a. Introduction of new Board Members:
Chairperson Sharon Telles called for a roundtable introduction of all those attending earlier in the meeting.
- b. Water Conservation Presentation
Joe Speaker welcomed City staff John Shannon and Bobby Alvarez, whom he invited to speak before the Board due to the fact that there is a Stage Three Drought declared, and that there have been an increase in water waste citations issued.

Water Efficiency Specialist John Shannon provided a PowerPoint handout, copies of sample warning notices, and a copy of Roseville Municipal Code sections 14.09.030 and 14.09.060 (see Exhibit A).

John Shannon presented the information in the PowerPoint handout, delivering a description of the overall goals, policies and procedures of the Water Conservation Division.

Richard DeMarchi asked who receives the issued warnings that they distribute, and John Shannon explained that the first warning, a “door-hanger” notice, is left onsite at the time of violation, and if it is after 8:00 a.m., they will knock on the door to try and make contact with the homeowner. If the house appears vacant, they will send notification to the owner. If a second warning is required, it is mailed to the owner of the property. Michelle Sheidenberger asked if the tenant is cc'd on the second Administrative Warning, and John responded that the tenant is not usually notified, they notify the owner.

Richard DeMarchi asked how the water use comparisons are done if a rental has a different tenant in it from the initial year of 2013, and John responded that in that case they would go off of the average house size per capita water use. Bobby Alvarez also mentioned that if the house has a high-use report, then they will identify it as having a possible leak and will do an inspection to determine what, if any, problems are present. John Shannon said they are trying to go after the “gutter-flooders”, not just anyone with a little extra water.

Mark Elmquist asked about regulations for watering gardens. John responded that hand-watering with a automatic shut-off nozzle and drip irrigation on off-days is o.k., but not for turf.

Scott Sanford asked if all of the 1,558 phone calls received by water conservation staff are all live calls. John said they were.

Don Lounsbury referred to the Governor’s Proclamation requiring the entire state to conserve water and asked if all cities in California were doing what Roseville is

doing to reduce water waste, and Don added that he has heard of cities in Southern California which are not doing anything. John Shannon said he is unaware of how other cities are responding to the crisis, however, he identified that Roseville is usually far ahead of the curve. Bobby Alvarez said that the City of Roseville is looked at as a benchmark for other cities, and municipalities want to know what programs are in place for them to follow.

- c. Animal Control Supervisor John Bennett was welcomed by Joe Speaker to discuss Animal Control procedures. John introduced himself and informed the group that Animal Control handles just about anything and everything that has to do with animals, from picking up dead animals to working with the SWAT team. John said that the top three Animal Control citations were for failure to license, loose dogs, and barking. John Bennett said that the law requires one warning, but Roseville's policy is to give three warnings, each being one week apart. The burden of proof is on the complainant, John stated, and he informed the board that Animal Control answers questions from both parties on how to solve their issues, and provide information to help establish a case for their dilemma. John said that as a case progresses into multiple calls, Animal Control requests information from the violator on what they are doing to prevent the dog from barking to confirm that the problem is being remedied. In regards to licensing, John said that they give multiple warnings and additional time before a citation is issued.

Mark Elmquist asked what the policy is for having a dog off-leash, and John answered that if they know an area has complaints animal control will make extra patrols but they warn violators more often than they cite them. He also mentioned that they work dog parks for licensing, and when they show up, they suddenly clear out. John said that the only shot required for a dog license is a rabies vaccine.

At 4:43 p.m., Sharon Telles left the meeting for a prior appointment, and Vice-Chair Mark Elmquist took over the meeting.

- d. Overview of Board Member duties and Brown Act:
Joe Speaker conveyed to the Board that the Brown Act's purpose is to bring openness and transparency of government to the public and reminded them that during panel discussion, their remarks must be audible. He explained that if a case is appealed, the record will have been set at the hearing. Joe also recapped the instructions to the Board to read aloud the language pertaining to the appellants right to appeal the decision when the appeal has been upheld.

Joe noted that the minutes from the February 11, 2015 meeting requested a meeting from City staff to present media outreach, and he has moved this to the next meeting due to scheduling conflicts.

Joe also stressed the fact that even though the Board is now ten members strong, three members will not be able to serve on a panel until they have witnessed two hearings, and support in volunteering for upcoming hearings will be helpful.

6. REPORTS/COMMENTS/QUESTIONS/SUGGESTIONS OF BOARD MEMBERS

No additional remarks were made.

7. ADJOURNMENT

Motion by Scott Sanford, seconded by Richard DeMarchi, that the meeting be adjourned.

AYES: Sean Wallentine, Richard DeMarchi, Brian Stenklyft, Don Lounsbury, Scott Sanford, Mark Elmquist, Dan Myers, Bruce Hagler

NOES: none

The next regular meeting will be held on January 20, 2016 at 4:00 p.m. in the Hutchinson Conference Room in the Civic Center.

Pamela Sisk
Legal Clerk