



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

Date: Thursday, March 2, 2023
Time: 3:00 P.M.
Place: **Antioch City Hall – Council Chambers**
200 'H' Street
Antioch, CA 94509

BOARD MEMBERS

Ademuyiwa “Ade” Adeyemi, Chairperson
Antwon Webster, Vice Chairperson
Marie Livingston
Vacant
Vacant
Vacant, Alternate

***PLEASE TURN OFF CELL PHONES BEFORE ENTERING
THE MEETING LOCATION.***

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND CALIFORNIA LAW, it is the policy of the City of Antioch to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodation, please contact the ADA Coordinator at the number or address below at least 72 hours prior to the meeting or when you desire to receive services. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility. The City's ADA Coordinator can be reached @ Phone: (925) 779-6950, and e-mail: publicworks@ci.antioch.ca.us.

BOARD OF ADMINISTRATIVE APPEALS

SPEAKER RULES

NOTICE OF OPPORTUNITY TO ADDRESS THE BOARD

This agenda is a summary of the discussion items/actions proposed to be taken by the Board of Administrative Appeals. The public has the opportunity to address the Board on each agenda item. The Board can only take action on items that are listed on the agenda. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section on the agenda. No one may speak more than once on an agenda item or during "Public Comments".

Members of the public wishing to provide public comments, may do so one of the following ways:

- 1) **WRITTEN PUBLIC COMMENT** – Written comments may be submitted electronically to the City Clerk at the following email address: cityclerk@ci.antioch.ca.us, **prior to 1:00 p.m. the day of the Board of Administrative Appeals Meeting.** Please indicate the agenda item and title in your email subject line. All comments received before 1:00 p.m. the day of the meeting, will be provided to the Board Members before the meeting.
- 2) **IN PERSON** – Fill out a Speaker Request Form, available near the entrance doors, and place in the Speaker Card Tray near the City Clerk before the meeting begins.

Speakers will be notified shortly before they are called to speak.

- When called to speak, please limit your comments to the time allotted (up to 3 minutes, at the discretion of the Chair/Vice Chairperson).

After hearing from the public, the agenda item will be closed. Deliberations will then be limited to members of the Board.

NOTICE OF AVAILABILITY OF REPORTS

The Board of Administrative Appeals' Agendas, including Staff Reports, are posted onto the City's Website 72 hours before each meeting. To view the agenda information, click on the following link: <https://www.antiochca.gov/government/agendas-and-minutes/board-of-administrative-appeals/>.

Copies are available for inspection (and copying for a fee), at the City Clerk's Office, City Hall, 200 'H' Street, Antioch, CA 94509, Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding holidays. Copies are also made available at the Antioch Public Library for inspection.

NOTICE OF OPPORTUNITY TO ADDRESS THE BOARD

The public has the opportunity to address the Board on each agenda item. Please see the Speaker Rules on the inside cover of this Agenda for additional information on public participation.

AGENDA

3:00 P.M. ROLL CALL

Ademuyiwa “Ade” Adeyemi, Chairperson
Antwon Webster, Vice Chairperson
Marie Livingston
Vacant
Vacant
Vacant, Alternate

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS – *Only unagendized issues will be discussed during this time.*

1. CONSENT CALENDAR

A. APPROVAL OF BOARD OF ADMINISTRATIVE APPEAL MEETING MINUTES OF JANUARY 5, 2023

Recommended Action: Motion to approve the Meeting Minutes.

2. REGULAR AGENDA

OATH for all intending to testify

A. ANIMAL SERVICES CASE NO. A22-077965 / ADMINISTRATIVE CITATION NO. 29885 – APPEAL FILED BY KATHY ALMEIDA, ANTIOCH, CA – VIOLATION OF ANTIOCH MUNICIPAL CODE: § 6-1.501(C) UNLAWFUL ACTS – ALLOW AN ANIMAL TO BE AT LARGE.

WRITTEN/ORAL COMMUNICATIONS

MOTION TO ADJOURN: *After Written/Oral Communications, the Chairperson/ Vice Chairperson will make a motion to adjourn the meeting. A second of the motion is required, and then a majority vote is required to adjourn the meeting.*

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Regular Meeting
3:00 P.M.**

**January 5, 2023
Council Chambers**

Chairperson Adeyemi called the meeting to order at 3:01 P.M. on Thursday, January 5, 2023.

ROLL CALL:

Present: Board Members Livingston, Webster and Chairperson Adeyemi

Staff Present: City Attorney, Thomas Lloyd Smith
Code Enforcement Manager, Curt Michael
Administrative Analyst, Vanessa Rosales
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

Chairperson Adeyemi led the Pledge of Allegiance.

PUBLIC COMMENT – None

Chairperson Adeyemi acknowledged the passing of Board Member Grant and thanked him for his time serving on the Board of Administrative Appeals. He stated he hoped to be able to reach out to Mr. Grant's family and thank them.

1. CONSENT CALENDAR

A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR OCTOBER 6, 2022

On motion by Board Member Webster, seconded by Board Member Livingston, the Board of Administrative Appeals unanimously approved the Minutes for October 6, 2022.

B. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS AND LIEN PROCESSING FEES FOR JULY 2022

On motion by Board Member Livingston, seconded by Board Member Webster, the Board of Administrative Appeals unanimously approved the Levy of Special Assessments on certain properties for unpaid Administrative Citations and Lien Processing Fees for July 2022 in the amount of \$4,500.00.

WRITTEN/ORAL COMMUNICATIONS – None

ADJOURNMENT

On motion by Board Member Webster, seconded by Board Member Livingston the Board of Administrative Appeals unanimously adjourned the meeting at 3:05 P.M.

Respectfully submitted:

Kitty Eiden

KITTY EIDEN, Minutes Clerk

STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR CONSIDERATION AT THE APPEAL HEARING OF MARCH 02, 2023

PREPARED BY: Melissa Ethridge – Animal Control Officer

DATE: January 24th, 2023

SUBJECT: Administrative Citation 29885 – Animal Services
Animal Services Case No: A22-077965
Antioch Municipal Code § 6-1.501 UNLAWFUL ACTS (C)

REQUEST:

Appellant Kathy Almeida requests a hearing to appeal Administrative Citation No. 29250 issued on December 20, 2022, citing a violation of Antioch Municipal Code § 6-1.501(C) UNLAWFUL ACTS – Allow an animal to be at large.

BACKGROUND INFORMATION:

Activity #22-077965

Parties Involved:

Animals Involved: A127279 – “Mutley” BR BRINDLE/BLACK N PIT BULL/MASTIFF

Reporting Party: Resident in area

Dog Owner: Kathy Almeida

On December 22nd, 2022 I responded to a report of an aggressive dog in the 2700 block of Bonita Ave. When I arrived at the location, I recognized the reported dog as “Mutley”, a dog I had encountered in the past for similar reports. I confirmed that Mutley lived at [REDACTED] Bonita Ave. and approached him with a control pole. Mutley retreated to his driveway and waited near the fence to enter his yard. I placed the control pole on him so that I could safely return him to his property. Once inside the fenced yard, I attempted contact with the residents and received negative results. I removed the control pole and successfully secured the fence behind me when exiting the yard. I wrote a citation (Citation No. 29250) for Mutley being off his property and a notice to correct for Mrs. Almeida to clean up the feces in her yard as well as the scattered dog food as to avoid attracting rodents.

Activity # 21-010194

Parties Involved:

Animals Involved: A127279 – “Mutley” BR BRINDLE/BLACK N PIT BULL/MASTIFF
A524827 – “Jazzy” CHOCOLATE LABRADOR RETREIVER

Reporting Party: Karen Brown

Dog Owner: Kathy Almeida

On February 10th, 2021 Officer McCarthy and I responded to a report of an aggressive dog outside [REDACTED] Bonita Ave. RP Karen Brown advised she witnessed the dog [Mutley] chasing after a young boy, forcing him to jump onto a nearby truck to get away from the dog--the boy had called for someone to pick him up and was since gone. Brown also informed me that the post office no longer delivers mail to their address because of the dogs at the Almeida residence. Officer McCarthy and I corralled Mutley towards the gate on his property when a second dog from inside the yard, later identified as "Jazzy", jumped on the fence allowing Mutley to return to the yard. I was unable to get the gate to latch right away so I placed zip ties on the fence handles to ensure they would stay shut. Officer McCarthy filled out a warning notice regarding Mutley's actions and behavior for Almeida to sign and return to AAS [which she failed to do so] and I issued a citation for \$500 for a second violation of Mutley being at large [Citation #29746]. My writing in the notes section reminded Mrs. Almeida that if Mutley received an additional report of acting aggressively while at large that he could be impounded pending a potentially dangerous animal investigation.

Activity # 19-097357

Parties Involved:

Animals Involved: A127279 – "Mutley" BR BRINDLE/BLACK N PIT BULL/MASTIFF

 A127267– "Roxy" BLACK/BROWN MIN PINSCHER

Reporting Party: Terrace Glen Apartments

Dog Owner: Kathy Almeida

On December 31st, 2019 I responded to a report of two dogs acting aggressively towards tenants of the Terrace Glen Apartments. When I arrived, there was a brindle Mastiff [Mutley] and a black and brown miniature pinscher mix [Roxy] sitting on the lawn outside of [REDACTED] W 20th St. The employees at the apartments across the street verified that they were the dogs called about, neighbors confirmed that they lived at this address. The dogs were territorial of their yard but came to trust me after offering treats. The side gate at the end of the driveway was open which appeared to be where the dogs got out from, but I was unable to safely secure the dogs back in their yard. I impounded the dogs and left a notice of impound at the front door.

APPEAL:

Appellate requests the appeal as she was in the hospital at the time and was not aware the gate lock was bent and that her dog was able escape. Appellate states in her appeal that during her hospitalization she had no one able to clean up after her dog, but has since repaired the fence and has hired someone to help care for her dog.

RECOMMENDATION:

Based on the findings of the investigation, it is Staff recommendation to deny the appeal and uphold Administrative Citation No. 29250.

SUPPLEMENTAL ATTACHMENTS:

Antioch Municipal Code

Animal Control Officer Ethridge #5854 Activity Report from December 31st, 2019 (A19-097357-1)

Animal Control Officer Ethridge #5854 Activity Report from February 10th, 2021 (A21-010194-1)

Including Warning Letter to Kathy Almeida

Animal Control Officer Ethridge #5854 Activity Report from December 20th, 2022 (A22-077965-1)

Administrative Citation No. 29746

Administrative Citation No. 29250

Google Map showing street view of Almeida's neighboring residence along with photo of Mutley on neighbor's yard

Screenshots of Mutley's Impound Records from 2018 and 2020

Proposed Decision

Activity Card

A19-097357-1 CONTACT/AGGRE Priority Level: **DAILY** Total Animals: 1 Animal Type: DOG

Activity Address: [REDACTED] W 20TH ST

Activity Comment: 2 AGGRESSIVE DOGS IFO ADDRESS ABOVE

Owner Information:

P051869 KATHY ALMEIDA
[REDACTED] BONITA AVE
ANTIOCH, CA 94509
[REDACTED]

Caller Information:

P046089 TERRACE GLEN APTS
[REDACTED] W 20TH ST
ANTIOCH, CA 94509
[REDACTED]

A127279

Officer: P995854 ETHRIDGE

Clerk: ETHRIDGE

Call Date: 12/31/19 10:49 AM

New Date: 12/31/19 10:49 AM

Dispatch Date:

Working Date:

Complete Date: 01/24/20 09:34 AM

Result Codes:

1 IMPND

1 WARN

Memos:

Activity Card

12/31/19: I responded to a 1091A for two dogs acting aggressively to tenants outside Terrace Glen Apartments. When I arrived, there was a brindle Mastiff and a black and brown miniature pinscher mix sitting on the lawn outside of [REDACTED] W 20th Street. The employees at the apartments across the street verified that they were the dogs called about, neighbors confirmed that they lived at this address. The dogs were territorial of their yard but came to trust me after offering treats and back scratches. It appeared that the back side gate was open which appeared to be where the dogs got out from, but I was unable to safely secure the dogs back in their yard. I impounded the dogs and left a notice of impound at the front door stating the two dogs would be kept at the shelter if they planned on redeeming them and noted that the third dog that I heard inside the house would need to be licensed.

01/02/20: While looking up the microchip located in Mutley, I came to find out that it was somehow registered to another party in Richmond. The license that was issued at Mutley's last impound was registered to K. Almeida.

K. Almeida came in with her daughter who lives at [REDACTED] W 20th Street claiming that the dogs were theirs. I explained that since the dogs had been impounded for a second time, they would both need to be fixed prior to leaving. I also explained that there appeared to be a mix up with the microchip and somehow was registered to a man in Richmond, so until we heard back from that party or the letter of notice sent to his address bounced back, we would have to hold "Mutley" for a microchip stray hold period and we would then notify them once the hold was up or until we knew more. "Roxy" however, would just need to be spayed and have a license purchased in order for her to return home. The family explained they were low on funds at the moment and would not be able to afford both dogs and decided to surrender Roxy to the shelter.

01/15/20: Mutley's stray hold period is up, microchipped owner did not come to claim Mutley. Kathy Almeida was contacted and informed she could come and "adopt" Mutley through us officially and we would schedule him to be neutered to go home.

01/16/20: Kathy Almeida and daughter came and paid fees to adopt Mutley.

01/28/20: Dog that was heard inside the home on my initial visit has still not been licensed, a citation was sent to the address.

*Update: Deja Tyler from [REDACTED] W 20th street came in to license her dog-claiming a third party shared her information to our facility, we informed D. Tyler of my findings of my visit on 12/31/19 and explained that was how we knew she owned a dog.

Manager G. Harding advised that I void the citation to the address.

Activity Card

A21-010194-1 CONTACT/AGGRE Priority Level: **DAILY** Total Animals: 1 Animal Type: DOG

Activity Address: [REDACTED] BONITA AVE

Activity Comment: RP WATCHED LRG MASTIFF FROM THIS 20 CHARGE AFTER SMALL BOY

Owner Information:

P051869 KATHY ALMEIDA
[REDACTED] BONITA AVE
ANTIOCH, CA 94509
[REDACTED]

Caller Information:

P080202 KAREN BROWN
[REDACTED] BONITA AVE
ANTIOCH, CA 94509
[REDACTED]

A127279

Officer: P995854 ETHRIDGE

Clerk: ETHRIDGE

Call Date: 02/10/21 12:32 PM

New Date: 02/10/21 12:32 PM

Dispatch Date:

Working Date:

Complete Date: 02/11/21 04:06 PM

Result Codes:

1 CITE

1 WWARN

Memos:

Activity Card

02/11/21: Officer McCarthy and I responded to a 1091A at [REDACTED] Bonita. Brown Brindle Mastiff, identified by Chameleon records as Mutley (A127279), was reported to have charged after a small boy. When we arrived, Mutley was back on his property standing in the driveway barking. Neighbor/RP Karen Brown from [REDACTED] Bonita advised she witnessed the dog chasing after a young boy, forcing him to jump onto a nearby truck to get away from the dog. Brown stated that the boy had called for someone to pick him up and was since gone. Brown also informed me that the post office no longer delivers mail to their address because of the dogs at [REDACTED].

Mutley retreated to his yard when approached with a control pole and one of the dogs from behind the gate pushed the gate open wide enough for him to squeeze back into his yard. When attempting to secure the gate, I noticed that the integrity of the fence was weak and would most likely not stay shut for long. Zip-ties were placed around the handles to assist with keeping the doors secured until someone arrived home.

I returned to the Animal Services vehicle to write a citation and warning letter for Mutley, as this was not the first time he had been reported at large or acting aggressively. As I was writing up the citation, I could hear someone from what sounded to be inside [REDACTED] Bonita calling for the dogs as they were barking non-stop since we had arrived. I quickly approached the house announcing myself and called out for Kathy, I received no response. I returned to the vehicle and finished filling out the citation and Officer McCarthy wrote up the warning notice.

As I was walking back to the house to leave the documents, Kathy's daughter Kimberly had arrived so I explained to her why we were there. I took the zip-ties off the door handles and gave her the documents regarding Mutley stating that they needed to keep him secure to avoid future incidents and that the next time he got out, it may result in a Potentially Dangerous Animal investigation. I asked Kimberly if it was true that the post office refused to deliver to their house, she said yes, but it was because of the tan Chihuahua mix "Sparky" (A116102). I reminded her that Sparky and Jazzy need to be licensed as well and handed her the notice for her mother.

03/15/21: Citation sent to finance.

Activity Card

A22-077965-1 INV/AGGRESSIVE Priority Level: **DAILY** Total Animals: 1 Animal Type: DOG

Activity Address: [REDACTED] BONITA AVE

Activity Comment: RP IS IN HER DRIVEWAY AND SEES A BIG BLACK DOG OUTSIDE.. SAYS IT IS,

Owner Information:

P051869 KATHY ALMEIDA
[REDACTED] BONITA AVE
ANTIOCH, CA 94509
[REDACTED]

Caller Information:

A127279

L23-301517

Officer: P995854 ETHRIDGE

Clerk: ETHRIDGE

Call Date: 12/20/22 03:15 PM

New Date: 12/20/22 03:15 PM

Dispatch Date:

Working Date:

Complete Date: 12/27/22 01:26 PM

Result Codes:

1 RTO

1 CITE

Memos:

Activity Card

12/20/22 At 15:23hrs I responded to a call reporting an aggressive dog on Bonita Ave. The call was taken by dispatchers as follows:

"RP IS IN HER DRIVEWAY AND SEES A BIG BLACK DOG OUTSIDE .. SAYS IT IS ACTING AGGRESSIVE AND RP IS SCARED TO GET OUT OF HER CAR.. "

I arrived on scene at 15:26hrs and recognized the dog as one I had encountered multiple times in the past. "Mutley" (A127279) was lying in the grass in front of [REDACTED] Bonita Ave barking. Mutley was not presenting as an immediate threat, so I searched in our licensing and report database Chameleon to confirm his address while keeping him in my peripheral view. I grabbed a control pole and exited my vehicle towards Mutley who was still barking at me, but was retreating to his driveway/home when I told him to "go home". Mutley was unable to re-enter the yard without my assistance, so I placed the control pole on him and opened the gate, guiding him back into the yard. While in the yard, there were several piles of feces around the yard, several random items and trash scattered around the yard, and a large open bag of cat or dog food with the kibbles scattered about. Mutley sat on the front porch, waiting for the front door to be opened. I knocked on the door several times with no answer. I released Mutley from the control pole and exited the yard, ensuring the gate latched behind me. I returned to my vehicle and wrote a citation and notice to correct with several notes to clarify each violation and to remind Almeida that Mutley was on a warning notice and that she needs to make the proper corrections to avoid him getting out again which could result in his impoundment pending a potentially dangerous animal investigation. The citation and notice to correct were left in the mailbox.

01/03/23: I recieved notice that Almeida has filed an appeal of the citation. Appeal form attached to activity window.

Ready

Violation No	Date	Type	Incident No	Activity No	Seq
V19-13129	01/24/20 15:2			A19-097357	2
Defendant	P051869	Kathv Almeida	Bonita Ave Ar		
Complainant	P				
Issued By	P995854	Melissa Ethridge			

Location of Violation(s)

W 20TH ST

Jurisdiction

ANTIOCH

Synopsis

2 dogs loose from this house, 1 heard inside, none licensed

Approved

Offense	Qty	Animal ID	Animal Description	Price	Status
	1	A			

Offense	Qty	Animal ID	Animal Desc	Price	Status	Identity
AT LARGE	1	A12726	ROXY BLACK/BROWN F MIN PINS	.00		11116
NO LIC	1	A12726	ROXY BLACK/BROWN F MIN PINS	.00		11117
NO RABIE	1	A12726	ROXY BLACK/BROWN F MIN PINS	.00		11118
AT LARGE	1	A12727	MUTLEY BR BRINDLE/BLACK N PI	.00		11119
NO LIC	1	A12727	MUTLEY BR BRINDLE/BLACK N PI	.00		11120
NO RABIE	1	A12727	MUTLEY BR BRINDLE/BLACK N PI	.00		11121
NO LIC	1	A12728	3RD DOG UNK DESCRIPTION	.00		11122

ETHRIDGE 2020-01-24 15:40:50.56

ViolationNo	VioDate	FormNo	Doc
V22-00065	12/20/2		292
V21-00052	02/10/2		297
V19-13129	01/24/2		131

Court ID

Docket No

131292

Court Date

Outcome Date

Outcome Status

Receipt No

WAIVED

R20-016546

Outcome Desc

Extra 1

Extra 2

Extra 3

Extra 4

ADMINISTRATIVE
CITATION
City of Antioch

Citation # 29746

- ☐ Code Enforcement - (925) 779-7042
☐ Police Department - (925) 779-6900
☒ Animal Control - (925) 779-6989

Date of Violation 02/10/21 Time 12:54 PM AM PM Day of Week WEDNESDAY
 Citation Issued To (owner/resident/business) BONITA AVE
 KATHY ALMEIDA
 Address (if different than violation) BONITA AVE
 ANTIOCH State CA Zip 94509
 Driver's License State DOB

Vehicle License State Year Make Model Color

You are being issued an Administrative Citation for the violation(s) listed below. Continued violation may result in additional Administrative Citations and/or legal action.

- ☐ 1st Violation - \$100.00/\$130.00 Refer to the back of this citation for information on paying the amount indicated.
☒ 2nd Violation - \$500.00/\$700.00
☐ 3rd Violation - \$1,000.00/\$1,300.00

Code Section	Description of Violation	Fine Amount
6-1.5B(1) A7 LARGE		\$ 500.00
		\$
		\$
		\$
		\$

REINSPECTION FEE: \$ TOTAL DUE: \$ 500.00

Notes:
 2ND TIME MULTY REPORTED @
 LARGE ACTING AGGRESSIVELY.
 NEXT TIME REPORTED MAY RESULT
 IN IMPOUND / PDA INVESTIGATION
 TAN CHI & BROWN LAB NEEDED RE
 M. FLEHRIDGE 45859 02/10/21 10194
 Issuing Officer ID Number Date
 TO AVOID ADDITIONAL CITATIONS, YOU MUST CORRECT THE ABOVE
 VIOLATION(S) ON OR BEFORE: 02/24/2021

Questions regarding payment of this citation, call the Finance Department,
 (925) 779-7055. Mail payment to:

City of Antioch
 Finance Department
 P.O. Box 5007

Antioch, CA 94531-5007

To pay in person, the Cashiers are located on the First Floor of City Hall, 200 H
 Street, Antioch, California, Monday - Friday - 8:00 a.m. - 4:30 p.m. except holidays

See Reverse Side

WHITE - FILE COPY / YELLOW - VIOLATION COPY / PINK - FINANCE COPY

ADMINISTRATIVE CITATION

Citation # 29250

- ☐ Code Enforcement - (925) 779-7042
☐ Police Department - (925) 779-6900
☒ Animal Control - (925) 779-6989

Date of Violation: 12/20/22 Time: 3:20 PM Day of Week: TUESDAY
 Location of Violation: BONITA AVE
 Citation Issued To (owner/resident/business): KATHY ALMEIDA
 (parent than violation):
 BONITA AVE
 State: CA Zip: 91504
 City: ANTOCH
 Vehicle License: State: Year: Make: Model: Color:

You are being issued an Administrative Citation for the violation(s) listed below. Continued violation may result in additional Administrative Citations and/or legal action.

- ☐ 1st Violation - \$100.00/\$130.00
☐ 2nd Violation - \$500.00/\$700.00
☒ 3rd Violation - \$1,000.00/\$1,300.00

Code Section	Description of Violation	Fine Amount
10-1.501(c)	AT LARGE	\$ 1,000.00
		\$
		\$
		\$
		\$

REINSPECTION FEE: \$

TOTAL DUE: \$ 1,000.00

Notes:

THE FLOIS IN THE YARD IS PILING
 UP & NEEDS TO BE CLEANED.
 OPEN FOOD BAGS WILL ATTRACT
 RODENTS IF IT ENT ALREADY.
 PLEASE PROPERLY STORE THIS FOOD.
 Issuing Officer: ID number: #5854 Date: 12/20/2022
 TO AVOID ADDITIONAL CITATIONS, YOU MUST CORRECT THE ABOVE
 VIOLATION(S) ON OR BEFORE: 12/20/2022

Questions regarding payment of this citation, call the Finance Department, (925) 779-7055. Mail payment to:

City of Antioch
 Finance Department
 P.O. Box 5007

Antioch, CA 94531-5007

To pay in person, the Cashiers are located on the First Floor of City Hall, 200 H Street, Antioch, California, Monday - Friday - 8:00 a.m. - 4:30 p.m. except holidays

See Reverse Side

WHITE - FILE COPY / YELLOW - VIOLATION COPY / PINK - FINANCE COPY

Angle 2018-03-20 12:40:28.007

Anita 10

A127279 • Mutley GY Br Brindle N Pit Bull

Scanned?

Extra2

SCANNED HA

Intake Information

Person

P

Type	Subtype	Cond	Date	Time	Due Out	Review	OS Source	OS Reason
STRAY	OTC	NORMAL	03/18/18	10:45	03/31/18 00:00	___		

Crossing

APD

Jurisdiction	Extra3	Extra4	By	Receipt No
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Outcome Information

Person To

P051869 • Kathy Almeida [REDACTED] Bonita Ave Antioch 94509

Type	Subtype	Cond	Date	Time	Weight	Dose	Dose2	Bottle	Extra5	By	Receipt No
RTO		NORMAL	03/20/18	11:12						AR	

Special Searches

Type	Sex Size	Color Breed Lookalike	Primary Breed	Color Color	Color Type	Markings	Animal Name

Kennel

Lost

Foster

PetHarbor.com

Other Sisters

Hold Request

Comment

To Do

[illegible]

Complete

Cancel

1

[illegible]

Animal ID: **A127279** • Mutley 6Y Br Brindle N Pit Bull

Additional InformationPerson

P

Type	Subtype	Cond	Date	Time	Due Out	Review	OS Source	OS Reason
STRAY	FIELD	NORMAL	12/31/19	13:26	01/15/20 00:00	___		

Grassing	Jurisdiction	Extra3	Extra4	By	Receipt No
IFO W 20TH	ANTIOCH			585	

Outcome information

Person To

P051869 • Kathy Almeida Bonita Ave Antioch 94509

Type	Subtype	Cond	Date	Time	Weight	Dose	Dose2	Bottle	Extra5	By	Receipt No
ADOPTION	NEW HOM	NORMAL	01/16/20	16:00						596	R20-01654

Specialty Coatings[illegible]Hold Request

IN	TREATMENT
----	-----------

Comment

NOI sent and posted, see notes

1/8 Kathy Almeida came in re: NOI
ltr, will return on 1/15 to pay fees/pick
up dog. Her phone [REDACTED]

To Do

[illegible]Complete:

Conclusions

Plantar

Kernel	lost	Foster
--------	------	--------

PHOTOGRAPHY BY

Other Shelters

[illegible]

ANTIOCH POLICE DEPARTMENT

Tammany Brooks III, Chief of Police

E# 2010194



Date FEB 10th 2021
Name KATHY ALMEIDA
Address [REDACTED] BONITA AVE
ANTIOCH CA 94509

Dear

As you know, your dog, A127271 "MURRY" was at large and behaving in an aggressive manner on FEB 10 2021. Although your dog was not proven to be in violation of the Antioch Municipal Code, it did display behavior that posed a potential threat for great harm. This behavior is unacceptable in the City of Antioch.

Antioch Animal Services is therefore placing you on notice to take the appropriate action to comply with the applicable regulations to confine and control your dog, prevent a nuisance, protect the public, and assure quiet enjoyment for both you and your neighbors. Another incident (i.e. bite, running at large, aggressive behavior) will result in your dog being impounded and a hearing conducted to possibly declare your dog a potentially dangerous or vicious animal.

It is the desire of the City of Antioch to safeguard property and the public welfare of our citizens through the enforcement of animal regulations established in our Municipal Code. Failure to correct the violations will result in further and higher fines, as well as the case being turned over to the Police Department or District Attorney's Office for further abatement.

Please sign and return via mail, email or in person showing you have received and understand this notice.

Sincerely,

Officer A. McCarthy #6123
Animal Control Officer
Antioch Police Department
amccarthy@ci.antioch.ca.us

Dog Owner

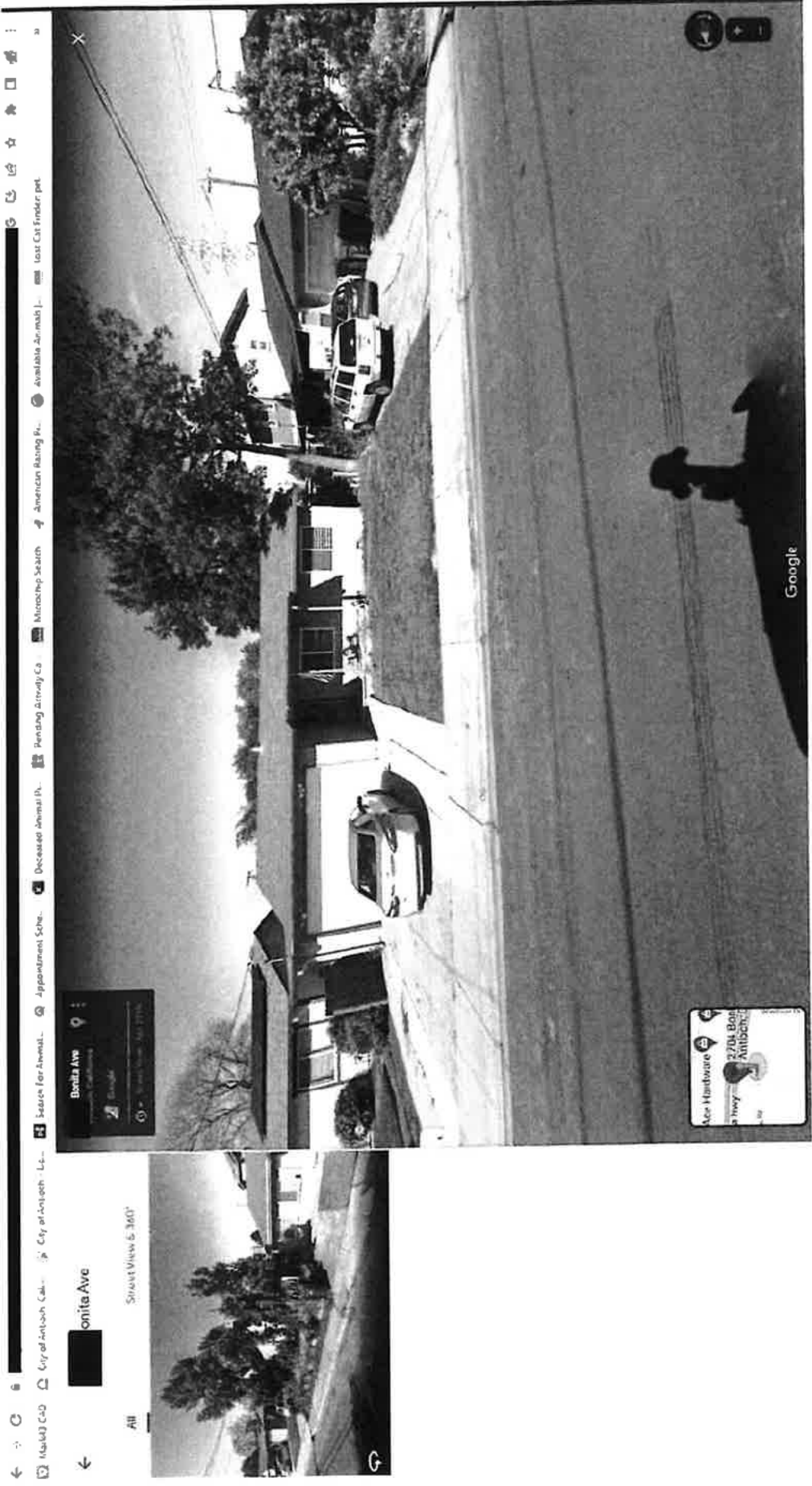
Date

300 L Street, Antioch, CA 94509
Phone: (925) 779-6989 / Fax: (925) 779-6992
www.antiochpolice.com



Bonita Ave

Bonita Ave



ANTIOCH CALIFORNIA

February 23, 2023

Kathy Almeida
Bonita Avenue
Antioch, CA 94509

Email: KathyAlmeida190@gmail.com, 3Kemistry3@gmail.com

RE: Board of Administrative Appeals Hearing
Property Address: Bonita Avenue, Antioch, CA
Citation Date/No.: 12/20/2022 / 29250

Dear Ms. Almeida,

This is a follow up to your written appeal, hardship waiver application with supporting documentation, and \$50 appeal fee filed on December 30, 2022, regarding the above-referenced citation. Upon reviewing the hardship waiver application presented, the Hardship Waiver has been approved. This approval of your hardship waiver defers the \$1,000 citation fine. If the decision before the Board of Administrative Appeals is upheld, the full amount of \$1,000 will be due at that time.

Please be advised your appeal is scheduled to be heard on **Thursday, March 2, 2023, at 3:00 p.m.** in the Antioch City Hall – Council Chambers, 200 H Street, Antioch, CA.

The Agenda with Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date listed above. To view the Board of Administrative Appeals Agenda information and Speaker Rules, simply click on the following link: <https://www.antiochca.gov/government/agendas-and-minutes/board-of-administrative-appeals/>.

All people who wish to speak at the hearing, including you, will be required to take an Oath. This case will be heard, and a decision rendered by the Board of Administrative Appeals. A General Information sheet is enclosed to answer any questions you may have regarding the appeal.

Thank you.

Sincerely,


VANESSA ROSALES
Administrative Analyst
cc: Antioch Animal Services

Enclosures





PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) ss

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is Office of the City Clerk for the City of Antioch, 200 "H" Street, P.O. Box 5007, Antioch, California 94531-5007. On February 23, 2023, I served the within Notice, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Antioch, California addressed as follows:

Kathy Almeida
Bonita Avenue
Antioch, CA 94509

I, Vanessa Rosales, certify (or declare), under penalty of perjury, that the foregoing is true and correct. Executed on February 23, 2023, at Antioch, California.

A handwritten signature in blue ink, appearing to read "V Rosales", written over a horizontal line.





ADMINISTRATIVE BOARD OF APPEALS

GENERAL INFORMATION FOR PERSONS APPEALING CITATIONS

The Administrative Board of Appeals is comprised of five Antioch residents, who are appointed by the Mayor and have volunteered their time to hear your appeal. The Board Members do not receive monetary compensation for their time and they are not employees of the City. They do not make or control the law. They are hearing officers who will review your appeal because you have requested the City do so. As the person making the appeal (the appellant) please keep in mind the following:

Schedule of Hearing:

- When an appeal is requested, it is typically scheduled for the first Thursday of every month.
- You will receive written notice of the date and time of the appeal hearing from the City Clerk's office.
- The Agenda and Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date. To view the Board of Administrative Appeals Agenda information, click on the following link: <https://www.antiochca.gov/government/agendas-and-minutes/board-of-administrative-appeals/>.

When You Don't Show For Your Hearing:

- If you do not appear at the hearing time and date you have been notified of, and unless you have provided the City Clerk seventy-two (72) hour notice before the hearing that you are requesting a postponement, your appeal will be heard without your participation.

How You Will Act At Your Appeal Hearing:

- You, and anyone else who is participating the appeal at your request, will maintain a respectful attitude at all time.
- If you or anyone else does not maintain a respectful attitude, you may be asked to "leave" the hearing by the Board Chairperson.
- Your appeal is not an opportunity to debate or argue with City staff or Board Members. Any questions should be directed to the Board Chairperson.
- When you speak, you should talk about the reasons why you feel the citation was wrongfully issued.

How The Appeal Hearing Will Go:

- The Board will read your item of appeal from its Agenda.
- The Board will then ask City staff to present an oral report with regard to your citation. The Board may ask questions of City staff after the oral report. This oral report will be for **five (5) minutes**.
- After staff has provided its report, and the Board is finished with its questions of staff, you will then be called upon to speak.
- You will have **five (5) minutes** to present the reasons why you are appealing the citation.
- Any other additional persons who may oppose or support your appeal will have **three (3) minutes** to speak.
- The Board may then ask City staff for a rebuttal to the statements you or others made in support or opposition of your appeal. This rebuttal is only for **three (3) minutes**.
- Then the hearing is completed and the Board will then issue its ruling on your appeal.

Your Burden:

- It is your appeal and therefore you bear the burden to prove that the citation was wrongfully issued.
- To win your appeal, you must have a majority of the Board uphold your appeal (3 of 5, or 2 of 3).
- If the Board determines there was in fact good reason to issue the citation, your appeal will be denied and the citation amount that you deposited to have your appeal will not be refunded.

How The Board Will Rule:

The Board can only rule one of two ways:

- To uphold your appeal and dismiss the citation.
- To deny your appeal and uphold the citation.

Written Findings and Order:

- The Board will render their findings and recommendations after the hearing is concluded or as soon as possible.
- You will be mailed the written decision of hearing within ten (10) days of the hearing.