

**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS FOR
CONSIDERATION AT THE APPEAL HEARING OF September 4, 2025**

PREPARED BY: Danika Anderson – Animal Control Officer

DATE: August 23, 2025

SUBJECT: Appeal of Actions after Determination of Potentially Dangerous
Animal

Animal Services Case No: A25-003351

Antioch Municipal Code § 6-1.804

REQUEST:

Appellant [REDACTED] does not agree with Potentially Dangerous Animal determination stating her dogs have never been aggressive and there is no evidence that they killed the chickens.

BACKGROUND INFORMATION:

Activity #25-003351

Parties Involved:

Animals Involved: A152163 - "[REDACTED]" WHITE/BROWN F PIT BULL
A152164 - "[REDACTED]" WHITE F SIBERIAN HUSKY

Reporting Party: [REDACTED]

Dog Owner: [REDACTED]

Victim: [REDACTED]

On August 7th, 2025, at approximately 1545hrs. I, Animal Control Officer Anderson, responded to [REDACTED] on a report of an animal bite that came through Antioch Police Department Dispatch Center.

The reporting party was stating that one white German Shepherd and one brown/white Pitbull attacked and killed four (4) of his chickens. The dogs possibly belonged to [REDACTED]. The dogs did not appear to be aggressive. They dug under the fence to get in.

I arrived at [REDACTED] at 1553hrs, initiating my body worn camera. I was met by a male who identified himself as [REDACTED] (homeowner). [REDACTED] informed me that his neighbor's two dogs had dug underneath the shared fence between his

house and [REDACTED] entering his yard and killing 4 of his chickens. He stated the dogs were friendly and still in his back yard. The incident occurred at about 1400hrs.

[REDACTED] walked me side gate to the left of his residence. We entered an area of the back yard that is sectioned off from the rest of the back yard. This area shares a fence with [REDACTED], I did not see any compromised areas along this fence. Inside of this sectioned area there was a tool shed and other stored items. To the South rear of the yard was a chicken coop. There was another fence that the chicken coop was in front of that led into the remaining portion of the back yard. There was a gate opening to the right of the coop that was closed. Refer to body worn camera footage for further details of the yard.

As we entered the section of the back yard where the chickens were located. I saw 3 deceased chickens at different locations in the back yard. One live chicken was secured in the chicken coop. [REDACTED] stated all chickens typically stay in the coop. He let the chickens out in the sectioned yard to stay cool. I could see wounds on the bodies of the chickens that did not appear bloody. I took images of the deceased chickens. I noted ants have begun to crawl over the carcasses. I did not smell any decay that would have indicated if the animals had been deceased longer than a day. [REDACTED] walked me through the closed gate entering the main portion of the backyard.

The dogs were not currently present on [REDACTED] property. [REDACTED] suggested they went back into their yard and that he knew the dog owners were not home. [REDACTED] stated that the dogs have come through or under the fence many times before, but that this was the first time they have killed his chickens.

[REDACTED] provided me with images of the dogs in his yard from the day of the attack. One was a medium sized white husky, the other a small brown and white Pit Bull. I was able to see the same dogs present in the yard of [REDACTED] through an opening in fence that had chicken wire placed over the hole. I took an image of this area. I whistled to the dogs to see if they could get into the yard. I noticed a large hole dug under the shared fence of [REDACTED]. The hole was almost hidden behind a large tree, I took an image of the hole.

I collected the deceased chickens for disposal at Animal Services at the request of [REDACTED]

I went to the home of [REDACTED] and knocked on the door. I rang both Ring type cameras, I received no answer. I left my business card with my department cell number and work hours.

As I was closing out the call, [REDACTED] approached the truck to inform me that the dogs were back in his backyard. I entered the backyard and noted a medium-sized white husky with a black collar, and a small brown and white pit bull mix with no collar present on [REDACTED] property. They were friendly on approach and allowed me to leash them. I did not see any blood or feathers on either of the dogs while handling them. I placed them in the back of the Animal Services Van without incident.

I failed to leave a notice of impound on the home of [REDACTED].

Once I arrived at the shelter, I completed normal intake protocol on the dogs without incident assigning them animal identification numbers. Neither pet had a microchip or identification linking them to [REDACTED]. I did not see any blood staining, injuries, or feathers on either of the pets' fur.

[REDACTED] contacted my work department cell phone and identified herself as the owner of the two dogs that were brought in from her neighbor's yard. She provided me with their names and descriptions that matched the dogs in our care. When I advised [REDACTED] of what had happened to her neighbor's chickens, she was audibly shocked.

When presented with the documentation determining "[REDACTED]" & "[REDACTED]" as potentially dangerous animals, [REDACTED] stated that the dogs have been out before and typically come back to her front porch. She also stated that they had entered [REDACTED] yard before and that he had let them out of his yard through his gate. She stated she has been working on fixing the area where the dogs have been accessing [REDACTED] yard.

The stipulations of the "Potentially Dangerous Animal" determination were given to [REDACTED] and include building a standalone secured kennel where the dogs would be situated when the owners are not supervising them in the back yard, ensuring the yard is secure, spaying / neutering, microchipping and licensing the dogs, acquiring liability

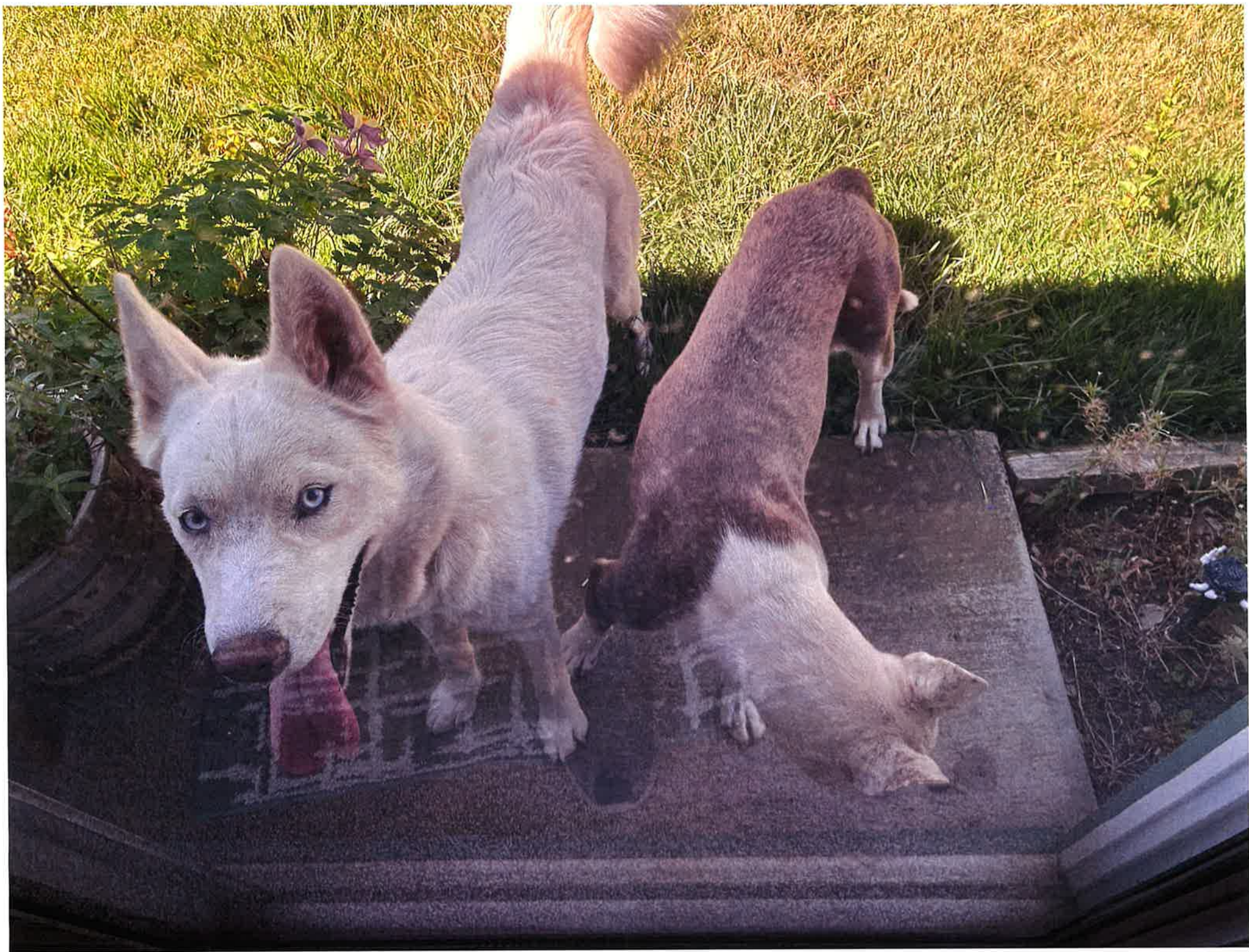
insurance, requiring training and all being inspected and approved by Animal Control before returning the dogs to the residence.

APPEAL:

The appellant is requesting the appeal as they believe that "[REDACTED]" and "[REDACTED]" do not meet the criteria for potentially dangerous animals and have never been aggressive. They know of multiple people who can vouch for the character and behaviors of both animals.

RECOMMENDATION:

Based on the preponderance of evidence i.e. the presence of the dogs in the yard of [REDACTED], where the bodies of the three deceased chickens were located on the same day, along with their known history of entering this yard on prior occasions and there being no other animals present in the yard nor history of other animals having accessed the yard, it is recommended that [REDACTED] follows through with the determination that her dogs be declared as Potentially Dangerous animals per the Antioch Municipal Code and that she follows through with the stipulations issued to her that ultimately ensure that the dogs are not a potential risk to any other animals in the future.

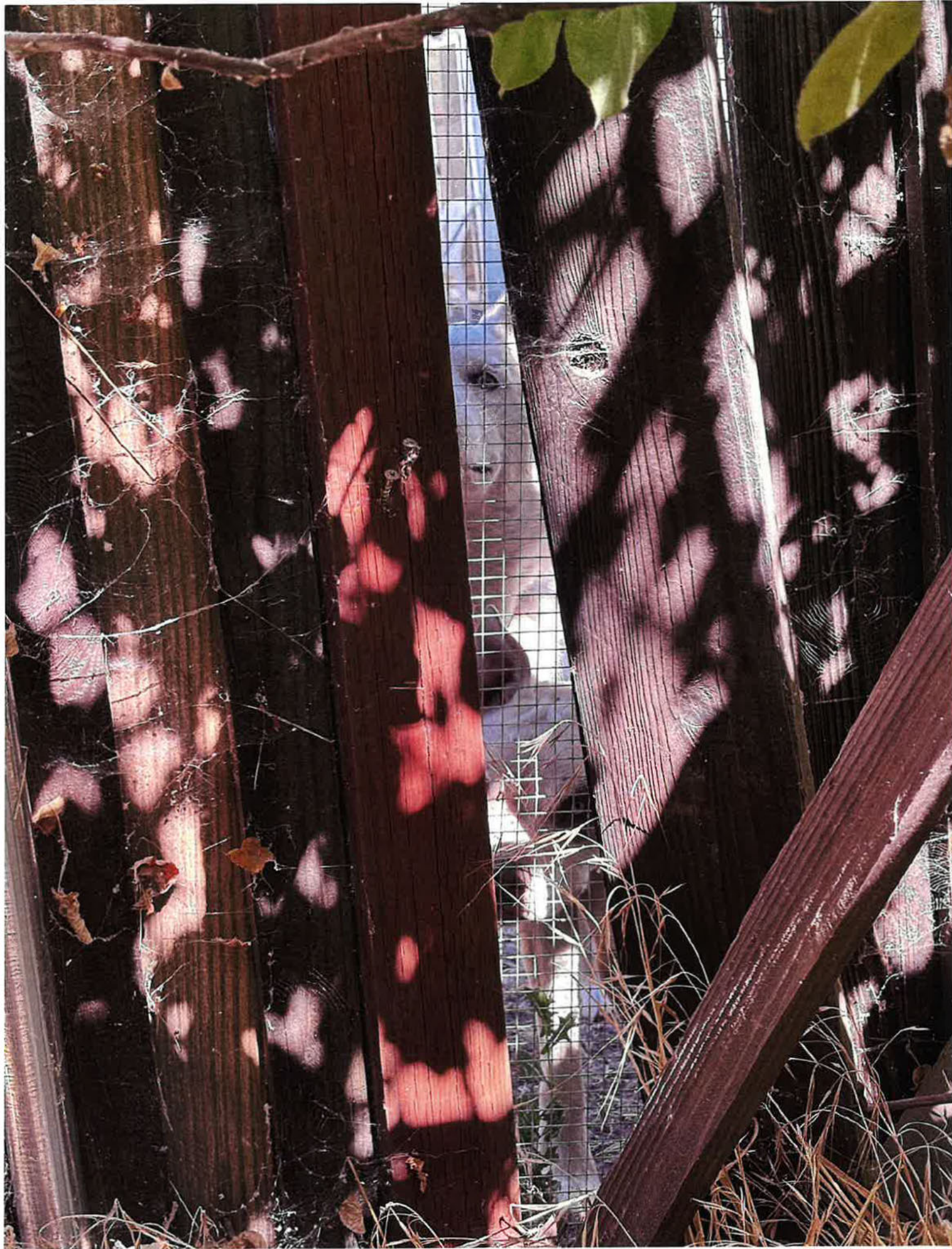


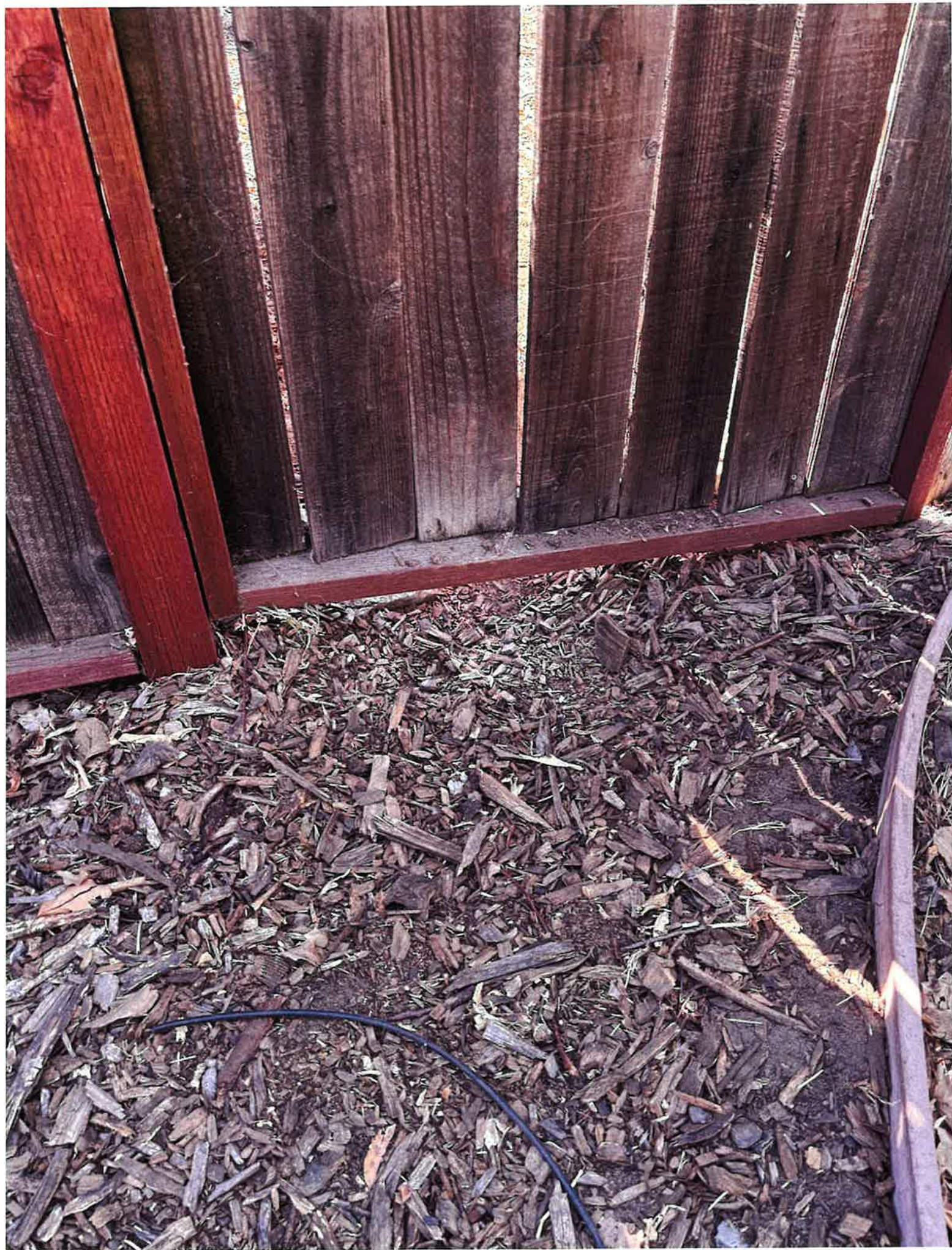












ANTIOCH CALIFORNIA

August 21, 2025

Rochelle Briseño
[REDACTED] Coffee Tree Way
Antioch, CA 94509

Email: [REDACTED]

RE: Board of Administrative Appeals Hearing

Date of Determination by Antioch Animal Services: 08/08/2025

Property Address: [REDACTED] Coffee Tree Way, Antioch, CA

Date of Incident: 08/07/2025

Animal ID#: A152164 [REDACTED] – White, Female, Husky
[REDACTED] – White/Brown, Female, Pitbull-Husky Mix

Dear Rochelle Briseño,

This is a follow up to your written appeal filed on August 19, 2025, regarding the above-referenced incident and determination. Also received was payment in the amount of \$3,760.00 for Animal Services' fees.

Please be advised your appeal is scheduled to be heard at the Board of Administrative Appeals **Meeting on Thursday, September 4, 2025, at 3:00 p.m.** The in-person meeting will be held at 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 packet 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 appeals.

Thank you.

Sincerely,



CHRISTINA GARCIA, CMC
Assistant City Clerk
cityclerk@antiochca.gov

cc: Antioch Animal Services

Enclosures

Phone: (925) 779-7009
Fax: (925) 779-7007
Antiochca.gov

OFFICE OF THE CITY CLERK



200 H Street/P.O. Box 5007
Antioch, CA, 94531-5007
AntiochIsOpportunity.com



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 August 21, 2025, 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:

Rochelle Briseño
[REDACTED] Coffee Tree Way
Antioch, CA 94509

I, Christina Garcia, certify (or declare), under penalty of perjury, that the foregoing is true and correct. Executed on August 21, 2025, at Antioch, California.

A handwritten signature in blue ink that reads "Christina Garcia". The signature is written in a cursive style and is positioned above a horizontal line.





ADMINISTRATIVE BOARD OF APPEALS

GENERAL INFORMATION FOR PERSONS APPEALING DECISIONS

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 Do Not Show for Your Hearing:

- If you do not appear at the hearing date and time 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 with the appeal at your request, will maintain a respectful attitude at all times.
- If you or anyone else does not maintain a respectful attitude, you may be asked to "leave" the hearing by the Board Chairperson/Vice 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/Vice Chairperson.
- When you speak, you should talk about the reasons why you feel the Decision was wrongfully made.

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 regarding your Decision. 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 Decision.
- Any other additional persons who may oppose or support your appeal will have **three (3) minutes** to speak when called upon by the Board Chairperson/Vice Chairperson.
- 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 Decision was wrongfully made.
- To win your appeal, you must have a majority of the Board uphold your appeal (3 of 5).
- If the Board determines there was in fact good reason to issue this Decision, your appeal will be denied.

How The Board Will Rule:

The Board can only rule one of two ways:

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

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.

AUG 19 2025

Decision Appeal Application

RECEIVED

CITY OF ANTIOCH
ATTN: CITY CLERK
P.O. BOX 5007
ANTIOCH, CA 94531-5007
(925) 779-7009

Date of Decision: August 8, 2025

Name: Rochelle Brisenio

Property Address: [REDACTED] Coffee Tree Way, Antioch CA 94509

Mailing Address: [REDACTED] Coffee Tree Way, Antioch CA 94509

Home Phone: [REDACTED] Work Phone: [REDACTED] Cell Phone: [REDACTED]

Email: [REDACTED]

REASON FOR APPEAL

[REDACTED] white/husky), and [REDACTED] (grey/white pitt/husky mix) are 2 of three sweetest most loving dogs in America. They are both family dogs who have been around my 2 kids as well as many others in my friends and family circle, never once have they ever shown aggression to us or any others. They have never even barked at us or EVER snapped at us NEVER. We were already in the process of laying concrete in our backyard for them to be comfortable and secure since we just moved into this home. They are very sweet loving dogs who are typically more scared of everything before being aggressive.

Signature Rochelle Brisenio

Date 8/19/25

***PLEASE NOTE:** A \$50.00 Board of Administrative Appeals Fee is also due when filing your appeal as per our City of Antioch's Master Fee Schedule located on our City's Website under the following link: [Master Fee Schedules - City of Antioch, California \(antiochca.gov\)](http://antiochca.gov).

8/10/2015
* THERE IS NO EVIDENCE SHOWN TO US THAT
OUR GOOD DOGS ATTACKED THESE CHICKENS.

WE BELIEVE THEY ARE INNOCENT OF ALLEGED INCIDENT.

OUR DOGS HAVE BEEN AROUND MANY OTHER CHILDREN AND
ANIMALS WITH ABSOLUTELY NO AGGRESSION OR HOSTILITY TO
ANY OF THEM.

~~WE~~
WE TRULY BELIEVE IN ALL OUR HEARTS AND SOULS THAT
THESE DOGS [REDACTED] AND [REDACTED], DO NOT POSE A THREAT
OR DANGER OF ANY KIND. WE ALSO HAVE MULTIPLE PEOPLE
WHO CAN VOUCH FOR THE CHARACTER AND BEHAVIORS
OF BOTH.

CITY OF ANTIOCH
(925) 779-7055
www.antiochca.gov

DATE : 8/19/2025 4:16 PM
OPER : ACJ
TKBY : Amanda Johnson
TERM : 1
REC# : R02419559

176.0000 ANIMAL Citation fees 3760.00
ROCHELLE BRISENO 8/19/25 3760.00
Citation - Animal Services 3760.00
214-332046020 ~3760.00

Paid By: ROCHELLE BRISENO 8/19/25
4-CC 3760.00 AUTH: 43038C

APPLIED	3760.00
TENDERED	3760.00
CHANGE	0.00

Cardmember acknowledges receipt of goods
and/or services in the amount of the
total shown hereon and agrees to perform
the obligations set forth by the
cardmember's agreement with the user.

X

Entry Mode: CHIP READ
CVM:

EMV Details:
AC: ACA78853D29E4D0E
ATC: 001D
AID: A0000000031010
TVR: 8080008000
TSI: 6800

ANTIOCH POLICE DEPARTMENT



Joe Vigil, Chief of Police

August 8, 2025

Rochelle Briseno
[REDACTED] Coffee Tree Way
Antioch, CA 94509

RE: Declaration of Potentially Dangerous Animals

(A152164) [REDACTED] WHITE F HUSKY
MICROCHIP:

(A152164) [REDACTED] WHITE/BROWN F PIT BULL-HUSKY MIX
MICROCHIP:

Dear Rochelle Briseno:

As you know, your dogs [REDACTED] and [REDACTED] were involved in an incident that occurred off of your property on August 7, 2025 killing multiple chickens of your neighbors.

Accordingly, Antioch Animal Services, a division of the Antioch Police Department, has determined that there exists probable cause that your dogs are "**Potentially Dangerous Animals**" under Article 8 of Chapter 1 of Title 6 of the Antioch Municipal Code and Article 2 of Chapter 9 of the California Food and Agricultural Code.

You have three mutually-exclusive options now that your dogs have been declared as "**Potentially Dangerous Animals**" which are described in more detail on the following pages:

1. By **4:30 p.m. on August 21, 2025** surrender the dog(s) to Antioch Animal Services; or
2. By **4:30 p.m. on August 21, 2025** sign the "**Potentially Dangerous Animal Declaration: Terms and Conditions Agreement**," pay the outstanding fees, and comply with all of the terms and conditions in order for the dog(s) to be returned to you. A copy of this agreement has been enclosed; or
3. By **4:30 p.m. on August 21, 2025** file all papers and pay fees to appeal the determination that your dog(s) are Potentially Dangerous Animals. The dog(s) will remain at Animal Services until the Board of Administrative Appeals renders its decision.

Option 1 -- Surrender your dog(s)

300 L Street, Antioch, CA 94509
Phone: (925) 779-6989 / Fax: (925) 779-6992
www.antiochca.gov/police/animal-services/

ANTIOCH POLICE DEPARTMENT



Joe Vigil, Chief of Police

To surrender your dog(s) to be humanely euthanized, please come to Antioch Animal Services and pay the applicable fees and sign the appropriate paperwork.

If you take no actions by **4:30 p.m. on August 21, 2025** then your dog(s) will be deemed to have been surrendered and will be euthanized. You will be billed for any applicable outstanding fees and costs.

Option 2 -- Sign the Potentially Dangerous Animal Declaration; Comply with the Terms and Conditions; and Pay Fees

In order to obtain your dog(s) now, you may sign the Potentially Dangerous Animal Declaration, comply with the Terms and Conditions, and pay the fees. The Terms and Conditions are enclosed. Once you come to Antioch Animal Services to sign the Declaration and Terms and Conditions, an appointment will be made to inspect your home to ensure that you have complied with the Terms and Conditions before your dog(s) are released.

To date the fees for your dogs is **\$2265.00** and board increases by \$35.00 per day (per dog) starting on **August 9th, 2025**

The dog(s) will be deemed surrendered to the City to be humanely euthanized, if you do not by 4:30 p.m. on August 21, 2025 sign the Agreement, fulfill all Terms and Conditions; and pay \$2265.00 plus boarding costs of \$35 per day to the date of redeeming the dog(s).

Choosing this option means that you waive any right to appeal the determination that the dogs have been declared Potentially Dangerous Animals.

ANTIOCH POLICE DEPARTMENT



Joe Vigil, Chief of Police

Receipt No	Date	Reference No	Receipt	Date
-	08/08/25			

Person ID: [REDACTED] Rochelle Briseno [REDACTED] Coffee Tree Way Antioch 94509

Received From: ROCHELLE BRISENO Jurisdiction: Extra1: Extra2:

Comment:

Qty	Item Code	Animal ID	Reference No	Fee Type	Dept	Extra3	Extra4	Item Price
1		A152164						

JE/Rfnd	Qty	Item Code	Animal ID	Reference No	Fee Type	Dept	Price	Subtotal	ItemName
	01	LINK	A089547	U25-000414	TAG	LICENSE	0.00	0.00	LINK
	01	LINK	A152164	U25-000415	TAG	LICENSE	0.00	0.00	LINK
	02	PDAVA FEE	A152164			ADMIN	450.00	900.00	PDAVA DANGEROUS FE
	02	LIC- PDAVA	A152164			LICENSE	70.00	140.00	LIC- PDAVA
	02	IMP PDAVA	A152164			ADMIN	350.00	700.00	IMP PDAVA
	01	PDAVA IN	A152164			ADMIN	150.00	150.00	PDAVA INSPECTION
	02	S/N DOG	A152164			SHELTER	150.00	300.00	SPAY/NEUTER DOG
	02	MC DATAMARS	A152164			LICENSE	25.00	50.00	MICROCHIP DATAMARS
	01	V-BARIES	A152164			SHELTER	25.00	25.00	VACCINATION-BARIES

Beginning Aug 9 - Sept. 4 = 26 days x \$70 = \$1,820
 \$35 per day, per dog = \$70

TOTAL \$3,760 without H.W.
 TOTAL * \$2,860
 *IF HARSHIP WAIVER (H.W.)
 APPROVED PER GUIDELINES

Total Due	Cash	Check	Credit	Tendered	Card No	Exp	Auth	Trans	Change	Balance
2265.00				0.00					0.00	2265.00

Option 3 -- Appeal the Potentially Dangerous Animal Determination(s)

If you wish to appeal the determination that the dogs are "Potentially Dangerous", then you must file a written request and pay those fees listed above totaling **\$2265.00**, includes a \$450 Dangerous Animal Investigation Fee which must be paid to the City Clerk's Office no later than **August 21, 2025 by 4:30 p.m.** in order to schedule a hearing with the Board of Administrative Appeals.

The City Clerk's office is located at 200 'H' Street, Antioch, CA 94509. The Clerk's Office hours are Monday through Friday, 8:30 a.m. to 4:30 p.m. except City holidays. **If both the written appeal request and fees are not received by August 21, 2025 4:30 p.m., then the City will deem that you have surrendered the dog(s) to the City to be humanely euthanized.**

300 L Street, Antioch, CA 94509
 Phone: (925) 779-6989 / Fax: (925) 779-6992
www.antiochca.gov/police/animal-services/

ANTIOCH POLICE DEPARTMENT



Joe Vigil, Chief of Police

Boarding fees for the dog(s) will still be due with the amount depending on the final action of the Board of Administrative Appeals. Boarding fees will be charged from the date of determination through to the hearing if the Board of Administrative Appeals denies your appeal.

The \$450 Dangerous Animal Investigation Fee may be deferred until the Board of Administrative Appeals makes a decision if you complete and submit the Hardship Waiver Application with supporting documentation to the City Clerk's Office **by 4:30 p.m. on August 21, 2025**

Should you have any questions concerning this matter, please feel free to contact Antioch Animal Services at (925) 779-6989. Animal Services is open to the public Tuesday through Saturday from 10 a.m. to 5:00 p.m.

Please check the City's website:

<http://www.ci.antioch.ca.us/CityGov/Police/AntiochAnimalSvcs/default.htm#> or call the Animal Services Shelter regarding any holiday closures.

Respectfully,

Catriona Cottle
Acting Animal Services Manager
Antioch Police Department
Animal Services Division
300 L Street
Antioch, CA 94509
925-779-6989

Issued by: D. ANDERSON #7117

Enc.: Dangerous Animal Declaration Terms and Conditions
Hardship Waiver Application
Kennel Design