



## Legislation Details (With Text)

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**File created:** 6/11/2018      **In control:** BOARD OF SUPERVISORS  
**On agenda:** 6/26/2018      **Final action:** 6/26/2018  
**Title:** 9:20 A.M. - APPEAL HEARING - Consideration of Appeal of an Administrative Citation for Renatto Aguas  
**Sponsors:** Water Resources  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. AdministrativeCitationAppeal\_Aguas

Date	Ver.	Action By	Action	Result
6/26/2018	1	BOARD OF SUPERVISORS	approved	Pass

## MEMORANDUM

**TO:** Board of Supervisors  
**FROM:** David Cowan, Interim Water Resources Director  
**DATE:** June 26, 2018  
**SUBJECT:** Consideration of Appeal of an Administrative Citation for Renatto Aguas

### EXECUTIVE SUMMARY:

On June 19th 2012, your Board enacted Ordinance 2976 which established the Administrative Citation process for boaters found in violation of the County's Quagga Mussel Prevention Program. Under this ordinance, enforcement officers have the option of citing a violation using an Administrative Citation instead of a Criminal Citation. For a first offense, the fine is \$100; however the individual receiving the violation has the option to appeal the fine to your Board.

### Renato Aguas Citation:

On June 4, 2018, Renato Aguas was cited for a violation of County Code 15.63 - Failure to display a current Lake County Quagga Mussel sticker. The same day he contacted Water Resources Technician Mark Miller, who coordinates the Quagga Mussel Program. Mr. Aguas explained to Mark that he had gone through the screening process and purchased a sticker on June 3rd, but he left the sticker in his motel room and failed to affix it to his boat. Mr. Aguas further requested that the citation/fee be voided since he purchased a sticker. Mark explained the appeal process, including prepayment of the \$100 fine prior to consideration of an appeal.

Mr. Aguas paid the fee and he is appealing the citation. He does not plan to be in attendance; he lives in Riverside County.

**Staff's Position:**

Water Resources appreciates the support that the County Sheriff's Department provides for our Quagga Mussel Program. Law enforcement presence and enforcement are necessary to prevent infested boats from entering Clear Lake and other Lake County waters. Taking into account that Mr. Aguas went through a screening process and purchased a sticker prior to his citation, and that it is his first offence, staff recommends that the Board of Supervisors grant the appeal.

**FISCAL IMPACT:**    ☐ None    ☐ Budgeted    ☐ Non-Budgeted

Estimated Cost:

Amount Budgeted:

Additional Requested:

Annual Cost (if planned for future years):

**FISCAL IMPACT (Narrative):**

**STAFFING IMPACT (if applicable):**

**RECOMMENDED ACTION:**

Staff recommends that the Board of Supervisors grant the appeal.