

1 BEFORE THE BOARD OF SUPERVISORS

2 OF THE COUNTY OF FRESNO

3 STATE OF CALIFORNIA

4 ORDINANCE NUMBER 19-006

5 AN ORDINANCE OF THE COUNTY OF FRESNO AMENDING CHAPTER 2.81 OF TITLE 2 OF
6 THE ORDINANCE CODE OF FRESNO COUNTY, TITLED "OFFICE OF THE COUNTY
7 HEARING OFFICER," TO DESIGNATE STAFF TO THE OFFICE OF THE COUNTY HEARING
8 OFFICER.

9 WHEREAS, on October 31, 2017, the Board of Supervisors ("Board") of the County of
10 Fresno ("County"), adopted Ordinance Number 17-020 to add Chapter 2.81, entitled "Office of
11 County Hearing Officer" ("Chapter 2.81"), to the Ordinance Code of Fresno County; and

12 WHEREAS, Chapter 2.81 established the office of the county hearing officer, pursuant to
13 Title 3, Division 2, Part 3, Chapter 14 (beginning with section 27720) of the California
14 Government Code; and

15 WHEREAS, Chapter 2.81 did not designate staff to the office of the county hearing
16 officer, to perform administrative tasks such as calendaring hearings, coordinating the
17 designation of hearing officers for hearings, reserving hearing rooms, maintaining recording
18 equipment and other equipment needed for hearings, and setting up and operating such
19 equipment as needed, maintaining documents, and receiving and sending notices and other
20 documents as may be required for proceedings within the duties of the office of the county
21 hearing officer; and

22 WHEREAS, the Board desires to amend Chapter 2.81 to designate staff to the office of
23 the county hearing officer, as provided in this ordinance;

24 Now, therefore, the Board of Supervisors of the County of Fresno ordains as follows:

25 **Section 1. Amendment**

26 Section 2.81.130 is added to Chapter 2.81, as follows:

27 "2.81.130 - Staff to the office of the county hearing officer.
28

- 1 A. Staff to the office of the county hearing officer are county staff as designated by
2 the county administrative officer.
- 3 B. The duties of staff to the office of the county hearing officer are administrative
4 only, which may include but are not limited to calendaring hearings; coordinating
5 the designation of hearing officers for hearings, including the designation of
6 hearing officer panels as required by statute or by ordinance or resolution of the
7 board; reserving hearing rooms; maintaining recording equipment and other
8 equipment needed for hearings, and setting up and operating such equipment as
9 needed; administering oaths to witnesses in hearings; maintaining documents
10 necessary for the operation of the office of the county hearing officer; receiving
11 and sending notices and other documents as may be required for proceedings
12 within the duties of the office of the county hearing officer; and other
13 administrative tasks as may be required by statute, by ordinance or resolution of
14 the board, or by internal policies and procedures that are established by the
15 county administrative officer and not in conflict with applicable statute, ordinance,
16 or resolution.
- 17 C. Staff to the office of the county hearing officer shall not take part in, and shall not
18 perform any research or investigation to aid any hearing officer in, the decision of
19 any matter before the office of the county hearing officer for hearing.”

20 **Section 3. Effective Date**

21 This ordinance is effective 30 days after its final approval by the Board.
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THE FOREGOING ORDINANCE was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno this 29th day of January, 2019,

to wit:

AYES: Supervisors Magsig, Mendes, Pacheco, Quintero

NOES: None

ABSENT: None

ABSTAINED: None

VACANT: District 2



Nathan Magsig, Chairman of the Board of Supervisors of the County of Fresno

ATTEST:

Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California

By: Susan Bishop
Deputy

File # 18-1395

Agenda # 40

Ordinance # 19-006