



County of Fresno

Hall of Records, Rm. 301
2281 Tulare Street
Fresno, California
93721-2198

Legislation Text

File #: 19-1225, **Version:** 1

DATE: November 5, 2019
TO: Board of Supervisors
SUBMITTED BY: Jean M. Rousseau, County Administrative Officer
SUBJECT: Procedural Rules for the Office of the County Hearing Officer

RECOMMENDED ACTION(S):

Adopt Resolution approving the Procedural Rules for the Office of the County Hearing Officer.

Approval of the recommended action will adopt Procedural Rules that will govern hearings conducted by the Office of the County Hearing Officer (Office). This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may direct staff to revise the language in the Procedural Rules for the Office.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Designated County Administrative Office (CAO) staff will perform administrative tasks required for proceedings within the duties of the Office. All associated staffing costs will be absorbed in the CAO's Org 0120.

DISCUSSION:

On October 31, 2017, the Board approved the creation of the Office and authorized the delegation of appeals from administrative actions to the Office for final resolution and referral of quasi-legislative matters to the Office for recommendations to the Board.

Ordinance Code section 2.81.120 provides that the Board by ordinance or resolution may adopt rules of procedure governing the conduct of hearings conducted by the Office. Approval of the recommended action will adopt the Procedural Rules for the Office, for the following purposes:

- To govern hearings conducted by the Office of the County Hearing Officer;
- To guide hearing officers and hearing officer staff in the performance of their duties;
- To ensure due process for appellants;
- To provide uniformity in the conduct of hearings; and
- To promote efficiency in the Office of the County Hearing Officer.

The development of the retention schedule for the Office is in progress with the County Clerk/Registrar of Voters and will be brought to your Board when finalized. Designated CAO staff will maintain custody and will not destroy any documents pending the development of the retention schedule. With your Board's approval, the resolution will adopt the Procedural Rules that will govern hearings conducted by the Office.

REFERENCE MATERIAL:

BAI #40, January 29, 2019
BAI #10, January 8, 2019
BAI #33, January 8, 2019
BAI #31, October 31, 2017
BAI #10, October 17, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Resolution

CAO ANALYST:

Yussel Zalapa