

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 1/26/09		Item Number: <u>C-8</u>	
AGENDA ITEM: Approval of a Professional Services Agreement with Judy A. Sherman for Administrative Citation Hearing Officer Services.			
Contact Person/Dept.: Sol Blumenfeld, Sharon Guidry/ Community Development		Phone Number: 310-253-5940	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Public Notification: Master E-Mail Notification List (01/21/2009).			
Department Approval: Sol Blumenfeld (01/05/09)		City Attorney Approval: Carol Schwab (by H. Baker) (01/15/09)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (01/21/09)		City Manager Approval: Jerry B. Fulwood (01/21/09)	

RECOMMENDATION:

Staff recommends the City Council approve a professional services agreement with Judy A. Sherman for Administrative Hearing Officer Services related to Administrative Citations that will be issued for violations of the Culver City Municipal Code (CCMC) by the Enforcement Services Division, or any other employee or agent of the City who has the authority and responsibility to enforce the provisions of the CCMC.

BACKGROUND:

On March 10, 2008, the Council adopted Ordinance No. 2008-002 adding a new chapter to the CCMC relating to the enforcement of the CCMC through an administrative citation process. The administrative citation process provides for the appeal of any citation issued to a hearing officer. Staff has worked with the City Attorney's Office to develop and finalize a citation format and forms necessary to implement issuance of Administrative Citations. The final phase of implementation is to secure a hearing officer.

DISCUSSION:

Staff sought input from the cities of Santa Monica, Beverly Hills and West Hollywood regarding their hearing officer services and Ms. Sherman was highly recommended. Ms. Sherman currently serves as the hearing examiner for the Culver City Police Department (CCPD) parking citations. This dual role will allow us an opportunity to

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schedule hearings on days Ms. Sherman is already in the City hearing parking citation disputes for CCPD which we believe will result in cost savings to the City. Additionally, Ms. Sherman's contracts require a minimum of eight (8) billable hours per hearing day. Ms. Sherman has agreed reduce her minimum billable hours in the first nine (9) months of the contract to four (4) hours. This will also result in cost savings to the City. Given her prior excellent service, understanding of the scope of work and industry experience, including her current capacity as a Hearing Officer for the CCPD parking citations, staff recommends that the City Council approve a contract in an amount not to exceed \$3,290 to provide hearing officer services for appeals by the public of Administrative Citations issued by the Enforcement Services Division. This work will include the hearing examiner services including file review prior to the hearing, conduct of the hearing, research and writing the decision, tapes required to record the hearings and any on-site parking fees associated with the hearings. Ms. Sherman will be responsible for travel and phone expense and she will provide the tape recorder.

FISCAL ANALYSIS:

The requested contract will be for an amount not to exceed \$3,290 for the remainder of this fiscal year. Sufficient funds are available to cover this request. Staff will review this contract during the next budget cycle, and request additional funds at that time. Staff anticipates the revenue generated from the fines associated with the citation will offset the cost to the City significantly.

ATTACHMENTS:

None

MOTION:

That the City Council;

1. Approve a Professional Services Agreement with Judy A. Sherman for Administrative Hearing Officer services related to the issuance of Administrative Citations in an amount not to exceed \$3,290;
2. Authorize the City Attorney to review/prepare the necessary documents; and,
3. Authorize the City Manager to execute such documents on behalf of the City.