



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Terri C. Schaeffer, Housing Program Coordinator

MEETING DATE: April 6, 2016

SUBJECT: Authorize the City Manager to Approve Hearing Officer Training and Experience

CEQA: Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines because it is an organizational or administrative activity.

RECOMMENDATION:

Authorize the City Manager to approve relevant training and experience for Administrative Hearing Officers to satisfy the requirements of Vehicle Code Section 40215.

DISCUSSION:

City enforcement issues have become increasingly varied and complex. Under Chapter 1.19 of the Municipal Code, alternative enforcement processes have been adopted as a means to address budget difficulties and resource shortages, and to streamline operations.

On a volunteer basis, Hearing Officers appointed by the Council conduct Administrative Enforcement Hearings pursuant to the Municipal Code. Parking citation appeals are among the types of cases reviewed and heard by panel members. In accordance with California Vehicle Code (Vehicle Code) Section 40215(c) (4) (B), Hearing Officers must complete 20 hours of training before hearing parking citations. The Vehicle Code allows up to 12 hours of relevant experience to be substituted for 12 hours of training. Currently, the Hearing Officers have a wealth of knowledge and experience, but lack the additional 8 hours of training.

Staff has identified courses offered to satisfy the Vehicle Code training requirement. However, trainings are not considered valid unless approved by the City Council/ City Manager. Authorizing the City Manager to approve relevant trainings and experience will help expedite the Administrative Hearing process and allow for the Hearing Officers to stay appropriately trained.

The proposed Policy is not a project under CEQA because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. If approved, the resolution would take immediate effect.

FISCAL IMPACT:

None.

OPTIONS

1. Take no action.
2. Provide authorization to the City Manager to approve relevant training and experience
3. Suggest additional or different changes to the City's Policy.

ATTACHMENT

1. Resolution authorizing City Manager to approve relevant training and experience for Hearing Officers.

RESPECTFULLY SUBMITTED,



Terri C. Schaeffer
Housing Program Coordinator

REVIEWED BY,



Ben Harvey
Interim City Manager

RESOLUTION NO. 16-xxx

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE
AUTHORIZING THE CITY MANAGER TO APPROVE RELEVANT TRAINING AND
EXPERIENCE FOR ADMINISTRATIVE HEARING OFFICERS**

FINDINGS

1. City enforcement issues have become increasingly varied and complex.; and
2. Under Chapter 1.19 of the Municipal Code, alternative enforcement processes have been adopted as a means to address budget difficulties and resource shortages, and to streamline operations; and
3. California Vehicle Code Section 40215(c)(4)(B) requires 20 hours of training before Hearing Officers may hear parking citations; and
4. California Vehicle Code Section 40215(c)(4)(B)'s training requirement may be met through any program approved by the governing board of the issuing agency, including a program developed and provided by, or for, the agency; and
5. California Vehicle Code Section 40215(c)(4)(B) allows up to 12 hours of relevant experience may be substituted for up to 12 hours of training upon the approval of the governing board of the issuing agency,
6. This action does not constitute a "Project" as that term is defined under the California Quality Act (CEQA), Guidelines Section 15378 as it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

NOW THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AS FOLLOWS:

1. The City Council determines that each of the findings set forth above are true and correct, and by this reference incorporates those findings as an integral part of this Resolution.
2. The City Manager is hereby authorized to approve relevant training and experience of for the Hearing Officers to meet the requirements of California Vehicle Code Section 40215(c)(4)(B).

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this ____ day of ____ 2016, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL KAMPE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney

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