

RESOLUTION NO. 2020-045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE DISPENSING WITH THE FORMAL REQUEST FOR PROPOSAL PROCEDURES PURSUANT TO ELK GROVE MUNICIPAL CODE SECTION 3.42.140(B)(3) AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO CONTRACT C-18-653 WITH CALIFORNIA HEARING OFFICERS, LLP FOR ADMINISTRATIVE APPEAL HEARINGS IN THE AMOUNT OF \$180,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$230,000

WHEREAS, administrative appeal hearings are required per Elk Grove Municipal Code (EGMC) Chapter 1.11 when the issuance of an administrative citation pursuant to EGMC Chapter 1.12 is appealed within the time limits provided by law; and

WHEREAS, administrative appeal hearings are to be conducted by impartial appeal hearing officers; and

WHEREAS, the City entered into an agreement in October 2018 with California Hearing Officers, LLP (CHO) for administrative appeal hearing services and has been completely satisfied with the service provided; and

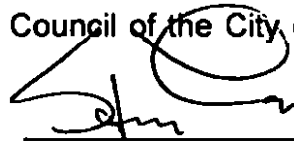
WHEREAS, the required three-member panel appeals boards for housing violations linked with illegal cannabis cultivation has resulted in an increase in costs associated with administrative appeal hearings; and

WHEREAS, CHO is the only local administrative appeal hearing provider identified by City staff with the requisite experience in administrative appeal hearings; and

WHEREAS, pursuant to Elk Grove Municipal Code Sections 3.42.140(B)(3), the City Council may dispense with the formal request for proposals procedure when, in the judgment of the City Council, compliance with the procedure is not in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby dispenses with the formal request for proposals procedure pursuant to Elk Grove Municipal Code Section 3.42.140(B)(3), and authorizes the City Manager to execute the First Amendment to Contract C-18-653 with California Hearing Officers, LLP, in substantially the form provided, for administrative appeal hearings in the amount of \$180,000, increasing the total contract not-to-exceed amount to \$230,000.


PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th day of March 2020



STEVE LY, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2020-045**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)


I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 11, 2020 by the following vote:

AYES: COUNCILMEMBERS: *Ly, Detrick, Hume, Nguyen, Suen*

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*



**Jason Lindgren, City Clerk
City of Elk Grove, California**