

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LASSEN, STATE OF CALIFORNIA

WHEREAS, California Government Code section 27720 authorizes a board of supervisors of any county to establish the office of hearing officer and the duties of said hearing officer are to conduct administrative hearings for the county where due process so requires; and

WHEREAS, California Government Code section 27724 establishes the minimum qualifications of a "hearing officer" appointed pursuant to that chapter; minimum qualifications include being an attorney licensed to practice in the State of California, in good standing with the State Bar, and have been licensed for at least five years; and

WHEREAS, The Lassen County Board of Supervisors has several locations within its county code that authorizes the use of a hearing officer for the purpose of affording due process to individuals the county is attempting to apply its ordinances to; and

WHEREAS, Title 1, Chapter 1.18, of the Lassen County Code contemplates the use of a hearing officer in the abatement of civil nuisances; Title 1, Chapter 1.19 contemplates the use of a hearing officer in the abatement of abandoned vehicles; Title 1, Chapter 1.20 contemplates the use of a hearing officer in affording due process to those issued administrative citations pursuant to that Chapter; and, lastly, Title 19, the Marijuana Cultivation Ordinance, also contemplates the use of an administrative hearing officer in its enforcement process; and

WHEREAS, Mr. Dan A. Howe was previously appointed by the Board as a hearing officer for Title 19 cases; however, the County needs hearing officers to hear vehicle abatement, civil nuisance, and administrative citation appeals as well; the County would benefit from Mr. Howe's appointment to hear those case also; and

WHEREAS, Mr. Howe is a busy attorney with, at times, limited availability; consequently, it is appropriate and prudent to secure the availability of another hearing officer due to the need to respect the rights to speedy hearing for individuals whom are appealing, and an anticipated increased enforcement effort by the County in the area of marijuana cultivation, civil nuisances, vehicle abatement, and administrative citations; and

WHEREAS, another local attorney, Mr. Jacob Zamora, who has announced his availability to serve as such a hearing officer, who meets the minimum qualifications identified above by section 27724 of the Government Code, who has served Lassen County first as a Deputy Public Defender, then as Senior Deputy Public Defender, serves currently as the attorney for the Lassen County Child Support Services, is regularly appointed as an attorney by Lassen Superior Court in the most complex felony cases, and most importantly, has exceptional ethics; staff likewise recommends he be appointed as a hearing officer as well.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The above recitals are true and correct; and
2. Mr. Dan A. Howe is appointed "hearing officer" within the meaning of California Government Code section 27720 et seq.

3. Mr. Jacob Zamora is appointed "hearing officer" within the meaning of California Government Code section 27720 et seq.
4. Messrs. Howe and Zamora are individually vested with authority to preside as hearing officers over any hearing required to be provided by operation of the Lassen County Code.

The foregoing Resolution was adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California, held on the _____ day of _____, 20____ by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

AARON ALBAUGH, Chairman
Lassen County Board of Supervisors

ATTEST:
JULIE BUSTAMANTE
Clerk of the Board

BY: _____
Michele Yderraga, Deputy Clerk of the Board

I, Michele Yderraga, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the _____ day of _____, 20____.

Deputy Clerk of the County of Lassen
Board of Supervisors