

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



647

FROM: Clerk of the Board

SUBMITTAL DATE:

SUBJECT: Resolution 2009-114 Establishing the Per Diem Rate for the Assessment Appeals Board Members and Hearing Officers and duly appointing the Assessment Appeals Board Members as Hearing Officers.

RECOMMENDED MOTION: That the Board adopt Resolution 2009-114 Establishing the Per Diem Rate for the Assessment Appeals Board Members and Hearing Officers and duly appointing the Assessment Appeals Board Members as Hearing Officers.

BACKGROUND:

Ordinance No. 510.6 amended Ordinance No. 510 and was adopted on April 7, 2009. It became effective thirty (30) days after the adoption date. Ordinance No. 510.6 provides that the per diem rate for the Assessment Appeals Board members and Hearing Officers shall be set by resolution.

Resolution 2009-114 establishes the per diem rate as well as duly appoints the Assessment Appeal Board Members as Hearing Officers and provides that the Hearing Officer's decision on an assessment appeal application is the final administrative decision on the application.

Departmental Concurrence

Kecia Harper-Ihem
Kecia Harper-Ihem, Clerk of the Board

FINANCIAL DATA	Current F.Y. Total Cost:	\$	In Current Year Budget:
	Current F.Y. Net County Cost:	\$	Budget Adjustment:
	Annual Net County Cost:	\$	For Fiscal Year:

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Christopher M. Hans*
Christopher M. Hans

County Executive Office Signature

Policy
 Policy
 Dep't Recomm.: Consent
 Per Exec. Ofc.: Consent

Prev. Agn. Ref.: 3.57 3/31/09 | District: | Agenda Number:

3.10

The Assessment Appeals Board Members shall serve in the dual capacity of Assessment Appeals Board Members/Hearing Officers during the period of their three year term.

The County's Rules of Notice and Procedure of the Assessment Appeals Boards (Local Rules) will be revised to set forth the rules and procedures for hearings conducted by the hearing officers. The Local Rules will also be revised to include the procedures to select the five hearing officers from the appointed Assessment Appeals Board Members. These procedures need to be established because Ordinance No. 510.6 provides for a maximum of five (5) hearing officers and the County currently has twelve (12) Assessment Appeals Board Members. These revisions will be brought back to the Board of Supervisors for approval.

1 **BOARD OF SUPERVISORS**

COUNTY OF RIVERSIDE

2
3 **RESOLUTION NO. 2009 - 114**
4 **ESTABLISHING THE PER DIEM RATE FOR THE**
5 **ASSESSMENT APPEALS BOARD MEMBERS AND HEARING OFFICERS AND DULY**
6 **APPOINTING THE ASSESSMENT APPEALS BOARD MEMBERS AS HEARING OFFICERS**

7 **WHEREAS**, Ordinance No. 510.6, adopted on April 7, 2009, provided that the per diem
8 rate for the Assessment Appeals Board Members and Hearing Officers shall be set by
9 resolution; and

10 **WHEREAS**, Revenue and Taxation Code Section 1636 authorizes the Board of
11 Supervisors to appoint one or more assessment hearing officers; and

12 **WHEREAS**, pursuant to Ordinance No. 510.6, the Board of Supervisors may appoint
13 hearing officers not to exceed five in number to hear specified assessment appeal
14 applications; and

15 **WHEREAS**, pursuant to Revenue and Taxation Code Section 1641.5, upon a resolution
16 enacted by a majority of the entire membership of the Board of Supervisors, the decision of a
17 hearing officer on an assessment appeal application constitutes the final administrative
18 decision on that application without any further action by the county assessment appeals
19 board.

20 **NOW THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by
21 the Board of Supervisors of the County of Riverside, State of California, in regular session
22 assembled on May 12, 2009, as follows:

- 23 1. That the Board of Supervisors hereby finds and declares that the above recitals
24 are true, correct and incorporated herein.
25 2. That the flat per diem rate for each member of an Assessment Appeals Board
26 and each Hearing Officer is three hundred (\$300) dollars.
27 3. That the duly appointed Assessment Appeals Board members, or who are duly
28 appointed in the future, are hereby duly appointed as Hearing Officers, not to exceed a total of
five Hearing Officers.

FORM APPROVED COUNTY COUNSEL
BY:  DATE 5/13/09
MICHELLE CLACK

1 4. That such Assessment Appeals Board members shall serve in the dual
2 capacities of Assessment Appeals Board Members/Hearing Officers during the period of their
3 three-year terms.

4 5. That the procedure to select the maximum five (5) Hearing Officers from the
5 appointed Assessment Appeals Board Members shall be set forth in the Local Rules of Notice
6 and Procedure of the Assessment Appeals Boards of the County of Riverside.

7 6. That the decision of a Hearing Officer on an assessment appeal application
8 constitutes the final administrative decision on that application without any further action by the
9 county assessment appeals board.

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