



**COUNTY OF PLACER**  
**Community Development/Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**BUILDING**

Tim Wegner, CBO  
Chief Building Official

**TO:** Honorable Board of Supervisors

**FROM:** Michael Johnson, Agency Director  
Community Development/Resource Agency

**DATE:** November 8, 2011

**SUBJECT:** Appointment of Interim Administrative Hearing Officer

**ACTION REQUESTED:**

The Building Services Division of the Community Development/Resource Agency respectfully requests that the Board of Supervisors appoint Michael Rodriguez as an interim Administrative Hearing Officer pursuant to Placer County Code Chapter 17, Section 17.62.180 (D)(1). This interim appointment will afford the Building Services Division an opportunity to concurrently pursue a "Request for Services" through the Placer County Procurement Department to create a list of permanent Administrative Hearing Officers.

**BACKGROUND:**

On October 19, 2010, the Board of Supervisors adopted Ordinance 5625-B that created the Administrative Citation process. The Administrative Citation Ordinance requires that an Administrative Hearing Officer be appointed by the Board of Supervisors to conduct hearings on Administrative Citations. Since the adoption of the ordinance, staff has been working with the Procurement Division to prepare a request for services to have an Administrative Hearing Officer. While there are no pending cases and no urgent need to fill the Administrative Hearing Officer position, staff concluded that it would be beneficial to consider an interim appointment in the rare event that there was an actual need to conduct a hearing.

**DISCUSSION:**

Staff is requesting that Michael Rodriguez be appointed as an interim Administrative Hearing Officer. Mr. Rodriguez is currently under contract with the Placer County Building Services Division to act as a Building Services Manager. He is an excellent choice to act as an interim Administrative Hearing Officer as he has the qualifications necessary to be successful in that capacity. Those qualifications include:

- Currently acting as a temporary Building Services Manager for Placer County
- Was Chief Building Official for the City of Folsom which included oversight of the Code Enforcement Division
- Was a Building Safety Director for private building safety companies in California
- Is active in the Sacramento Valley Association of Building Officials

AUBURN OFFICE - 3091 County Center Dr. Ste 160 / Auburn, California 95603 / (530) 745-3010 / Fax (530) 745-3058  
TAHOE OFFICE - 665 West Lake Blvd. / Tahoe City, California 956145 / (530) 581-6200 / Fax (530) 581-6204

Web Site Address: <http://www.placer.ca.gov>  
Email: [building@placer.ca.gov](mailto:building@placer.ca.gov)

- Was a Building Inspector and Plan Checker in the City of Fremont, California.

This unique skill set, which has both private and government sector experience, results in an individual with extensive experience conducting public hearings, interpreting and enforcing zoning codes, building codes, and extensive public interaction within the local government arena. This diverse background will allow Mr. Rodriguez to deal with all issues that would come before an Administrative Hearing Officer. His tenure with the County has enabled him to grasp the unique and diverse features of Placer County ensuring alignment with the Board of Supervisor's vision for the Administrative Citation process.

**FISCAL IMPACT:**

Michael Rodriguez is currently under contract with the Placer County Building Services Division to act as a part-time Building Service Manager and the Administrative Hearing Officer duties would be added to his current duties. Consequently, there would be no fiscal impact to the County. Should his contract expire during his interim duties as the Building Services Manager, it is anticipated that he may work three hours per month in the capacity of an Administrative Hearing Officer and would be paid \$75.00 per hour, resulting in an annual cost of \$2700.00. There are sufficient monies in the Building Services Division's budget to accommodate these charges.

**RECOMMENDATION:**

Staff recommends that Michael Rodriguez be appointed as an interim Administrative Hearing Officer until such time your Board approves a list of Hearing Officers for this purpose.

cc: Michael J Johnson - CD/RA Director  
Tim Wegner, Chief Building Official  
Karin Schwab - County Counsel's Office  
Scott Finley - County Counsel's Office  
Holly Heinzen - CEO's Office