



Approved as to Form and Legality

[Signature]

City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2014 FEB 27 PM 1:44 **RESOLUTION No. _____ C.M.S.**

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AWARD PROFESSIONAL SERVICES CONTRACTS TO RUDY VILLEGAS AND TO MARIO THORNTON TO SERVE AS ADJUDICATION HEARING OFFICERS FOR THE PARKING SECTION AS NEEDED AT THE DISCRETION OF THE CITY ADMINISTRATOR, IN A COMBINED TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) PER YEAR FOR THREE (3) YEARS, EACH CONTRACT WITH TWO (2) ONE-YEAR RENEWAL OPTIONS THAT WILL REQUIRE COUNCIL APPROVAL

WHEREAS, in July 1993, State of California Assembly Bill 408 decriminalized parking citations and transferred responsibility for citation processing and adjudication from the courts to the issuing agency; and

WHEREAS, Section 40215 of the California Vehicle Code specifies that citations must be paid or contested no later than twenty-one (21) calendar days from the issuance of a parking citation, or fourteen (14) calendar days from the mailing of a notice of delinquent parking violation, whichever is later; and

WHEREAS, a parking citation may be contested by the recipient (“Contestant”) by requesting an initial administrative review; and the initial administrative review is conducted by City of Oakland-Parking staff; and

WHEREAS, if a Contestant is dissatisfied with the results of the initial administrative review, may request an administrative hearing within twenty-one (21) days of mailing the results of the initial administrative review letter; and

WHEREAS, currently in the City of Oakland-Parking Section, there are two contract Hearing Officers who conduct hearings on parking citations, perform tow hearings, and handle court cases; and

WHEREAS, the existing Professional Services Contracts (“Contracts”) have expired and there is a need to continue providing these public services; and

WHEREAS, the Revenue Division determined that specialized knowledge, skills, and training were essential to do the work contemplated under the Contracts, and it was necessary to engage in a Request for Qualification (“RFQ”) process; and

WHEREAS, on October 9, 2013, the City issued an RFQ for “As needed Adjudication Hearing Officer” with a submission deadline of October 30, 2013; and

WHEREAS, in accordance with the City's purchasing policies, the City advertised the RFQ in the Oakland Tribune and San Francisco Chronicle, both on October 9 and October 16, 2013, as well as posted the RFQ on the City's website; and

WHEREAS, a total of two (2) proposals were submitted to the City by the submission deadline, one from Rudy Villegas and the other from Mario Thornton; and

WHEREAS, both proposals were reviewed by Contract Compliance staff, and found to meet the requirements outlined in the RFQ and cover letter; and

WHEREAS, on November 4, 2013, Revenue Division staff interviewed both Rudy Villegas and Mario Thornton, and determined that the proposers were qualified by training and experience to render the necessary services; and

WHEREAS, the term of the Contracts will be for three (3) years, each contract with two (2) one-year options to renew with City Council approval; and

WHEREAS, the projected combined annual cost of the Contracts shall not exceed \$150,000 (One Hundred Fifty Thousand Dollars) per year; and

WHEREAS, at the June 27, 2013 special meeting of the Oakland City Council, the Council approved Resolution 84466, adopting the FY 2013-15 Policy Budget ("Budget"), which appropriated sufficient funds to the Administrative Services Department-Revenue Division budget to fund these Contracts; and

WHEREAS, the Contracts with the Rudy Villegas and Mario Thornton will be effective upon adoption of the Resolution; and

WHEREAS, the public interest will be served by adoption of this Resolution; now therefore, be it

RESOLVED, that the City Administrator is hereby authorized to award Professional Services Contracts to Rudy Villegas and to Mario Thornton, in a combined total amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000) per year for three (3) years, each contract with two (2) one-year options to renew that will require City Council approval, to serve as Hearing Officers in the City of Oakland Parking section as needed at the discretion of the City Administrator or her designee.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California