



MEMORANDUM

TO: Public Safety & Transportation Committee
FROM: Roy Newton, Chief of Police
Nicole Aranas, Assistant Village Manager
DATE: August 5, 2019
SUBJECT: RECOMMENDATION FOR AN ADMINISTRATIVE HEARING OFFICER

Attached please find information recommending selection of an Administrative Adjudication Hearing Officer for the Village of Lombard. Deputy Chief Velazquez, prior to retirement, administered a process seeking proposals from qualified individuals to serve as hearing officer for the Village and drafted a recommendation for the selection of Heather Ryan of Heather Ryan Law, Ltd.

Chapter 100 of the Lombard Municipal Code provides for the adjudication of municipal ordinance violations, including Building Code violations. The Code provides for a hearing officer with the following duties: preside at hearings to determine whether or not code violations exist, hear testimony and accept evidence; preserve and authenticate a record of the hearing, and issue written findings, decisions and orders.

The Village issued a Request for Qualification (RFQ) seeking qualified vendors to serve as Administrative Hearing Officer. The RFQ was published and sent to multiple attorneys and law firms practicing in this specialty. Eight responses were received and four attorneys/firms were selected for in-person interviews.

Upon evaluation of the submissions and interviews, Deputy Chief Velazquez, drafted a recommendation to select Heather Ryan of Heather Ryan Law, Ltd. as Administrative Hearing Officer. A memo in support of the recommendation is attached. If the recommendation for Administrative Hearing Officer is confirmed by the Committee and Village, staff will work to transition from the current services provider to the newly selected hearing officer.

Please let me know if you have any questions or concerns.



LOMBARD POLICE DEPARTMENT



Date: April 8, 2019

To: Roy Newton -- Chief of Police

From: Cynthia Velazquez -- Deputy Chief of Police

Re: Recommendation for Administrative Hearing Officer

For the last several months, we have engaged in the process of selecting an attorney or a law firm to adjudicate our Administrative Hearings. The RFP was mailed to a total of twenty (20) attorneys or firms in the Chicagoland area. The list included municipal attorneys and law firms.

The Village received a total of eight proposals in response to the RFP. A selection committee was formed to evaluate the proposals and screen them. The committee reviewed the eight proposals at length and selected four firms or attorneys to interview.

All of the firms or individuals were highly qualified and the selection process was a difficult one. However, the selection committee would like to recommend Heather Ryan of Heather Ryan Law, Ltd.. Ms. Ryan is a former DuPage County prosecutor who has many years of experience with local prosecution, municipal offenses, ordinance, building code violations, parking and administrative tow hearings. I am attaching the original proposal received from Ms. Ryan's firm for your review

Ms. Ryan has proposed a fee of \$250.00 for the first hour per session and \$75.00 for every additional hour per session. The proposed fees are \$100.00 less per session than what our current hearing officer charges. Although Ms. Ryan is less expensive we are not compromising quality at all. Ms. Ryan is experienced, knowledgeable and is well respected amongst her colleagues. It is my recommendation that we hire Ms. Ryan as our Administrative Hearing Officer. If you should have any questions, or would like additional information, please do not hesitate to contact me.



**VILLAGE OF LOMBARD, ILLINOIS
REQUEST FOR QUALIFICATIONS
ADMINISTRATIVE HEARING OFFICER**

DATE ISSUED: August 15, 2018

I) REQUEST FOR QUALIFICATIONS

The Village of Lombard, Illinois "Village" is requesting qualifications from experienced attorneys with the ability to serve as Administrative Hearing Officer pursuant to a professional services agreement with the Village. The Administrative Hearing Officer shall have the authority to conduct Village administrative adjudication hearings regarding vehicular regulation violations and other violations of the Lombard Code of Ordinances. Duties of the hearing office shall include, but not be limited to, the authority to preside over hearings, hear testimony and accept evidence, and issue written determinations based upon the evidence. Qualified individuals must be an attorney licensed to practice law in the State of Illinois and have knowledge of and experience in general civil procedure, the rules of evidence and administrative practice. The Hearing Officer shall be appointed by the Village Manager based upon recommendations from the Village review team

II) BACKGROUND INFORMATION

The Village of Lombard is a non-home rule municipality of approximately 43,500 residents located in central DuPage County. In 2017, the Village issued 5,631 citations (5,059 parking and 572 administrative tows). Approximately 68% of all citations in 2017 were heard through the administrative adjudication process (3,842 adjudications). Appearances were made in person or via e-mail protest in 26% of adjudicated citations (1,005). Administrative adjudication hearings are regularly scheduled twice per month, with both daytime and evening adjudication sessions.

III) SCOPE OF SERVICES

The selected Administrative Hearing Officer shall have the authority to conduct administrative hearings, including but not limited to, the authority to:

- Preside over administrative hearings as adjudicator to determine whether or not code violations exist;
- Administer oaths;
- Issue subpoenas to secure attendance of witnesses and production of relevant papers or documentation;
- Hear testimony and accept evidence relevant to the existence of a code violation;
- Rule upon motions, objections, and the admissibility of evidence;
- Preserve and authenticate a transcript and record of the hearing and all exhibits and evidenced introduced at the hearing;

- Issue and sign a written finding, decision and order stating whether a code violation exists. Specifically includes making final determinations of vehicular violation liability and validity of notices of impending driver's license suspensions;
- Assess fines and penalties for violations of Village code;
- Issue certified notices to the Chief of Police regarding the immobilization of vehicles whose owners have received more than three or more final determinations liability, relative to vehicular parking violations, which remain unpaid.

IV) VILLAGE PROVISIONS

The Village will provide the selected Administrative Hearing Officer with the following:

- Copies of, or full access to, all pertinent Village Code provisions, policies, rules and regulations.
- Reasonable access to all pertinent documents and records for use in rendering decisions.
- Appropriate facilities to conduct hearings, and administrative support to facilitate the efficient conduct of such hearings.

V) PROPOSALS

Qualified applicants are invited to submit:

- A brief narrative describing the individual's law practice or firm, including areas of concentration and representative clients.
- Biographical information on the attorney, including specific information regarding any prior administrative adjudication experience pertaining to parking and towing as well as property, building, nuisance and licensing code enforcement activity.
- Information on the fees to be charged, including compensation for administrative costs, travel, support staff, if any.
- A list of not less than three references, preferably within the public sector.

Proposals are due no later than Monday, September 17, 2018 at 4:30 p.m.

Qualifications shall be sent to:

Cyndy Velazquez
Deputy Chief of Police
Village of Lombard
235 E. Wilson Avenue
Lombard, IL 60148
Velazquezc@villageoflombard.org

All qualifications must be clearly marked "RFQ – Administrative Hearing Officer"

The Village will review the proposals and may request further information from one or more individuals or firms before making a final decision. After reviewing the qualifications, the Village may select one or more individual attorneys or firms to be interviewed. The Village reserves the right to accept or reject any and all submissions and to waive technicalities.