

MEMORANDUM

**TO: Ronald Leonhardt,
City Clerk**

**FROM: Angelyn Ward,
Legislative Fiscal Analyst – Lead**

DATE: April 16, 2004

RE: Analysis of the Administrative Review Appeals Board

This memo is in response to your request for an analysis of the workload and activities of the Administrative Review Appeals Board. The analysis used the 2003 list of appeals and findings, scheduled meetings and agenda lists, copies of the board member compensation, 2003 Annual Report and several conversations with the staff assistant and other department representatives.

The Administrative Review Appeals Board – The board hears appeals related to the removal of nuisance vehicles, board-up charges, garbage and litter nuisance property charges, charges for return of sanitation or recycling carts to storage areas, reinspection fees and weed removal charges. As of September 2003, the board has begun streamlining the review process, working closer with the City Attorney's office, networking with affected departments to reduce paperwork and time for the appellant, Board and staff.

In 2003, the Administrative Review Appeals Board:

- Received 392 appeals for review
- Held 10 meetings
- With 41 appeals, in verifying with the department, determined that those appeals were of no substance and were not scheduled for a hearing. A "jumbo" letter was sent to the appellant stating no need for the appeal.
- Heard a total of 264 appeals, 119 of which were filed in 2002
- 145 appeals received in 2003 were scheduled and heard in 2003
- Over 200 appeals from 2003 will be heard in 2004

Findings - The 2003 hearings included appeals received in 2002 and 2003. The findings resulted in the following actions (an explanation of terms can be found below and on page 2):

Appeal withdrawn	3
Deny/dismiss	49
“ non-appearance	60
“ corrected reinsp. fee \$125	1
Dismiss at request of DNS, Forestry, MPD	6
Settled with DNS	11
Grant	13
Grant with stipulation	13
Reduced by \$1,000	1
Waive \$190 admin fee; retain \$248.46	1
Sent to City Attorney as a claim	2
Transferred to Standards & Appeals Com.	55
Untimely	24
Other	25
Total	264

Deny-Dismiss – Appeal was heard and denied. 19%
Dismiss Non-Appearance – The appellant did not appear at the hearing. 23%
Dismiss at the request of the appellant, DNS, Forestry or MPD. 2%
Untimely – Appeals must be filed within 30 days. 9%
Grant – The appeal was approved (charges were dismissed). 5%
Grant with stipulation – The appeal was granted but the charge was reduced. 5%
Transferred to Standards & Appeals Committee. 21%

Meetings - 10 meetings were held, all starting at 9:00 a.m. and generally ending by 12:30 p.m.:

Date	End Time	Appeals	2002	-	2003
January 3, 2003	12:32 p.m.	27	27		
January 27, 2003	11:00 a.m.	23	23		
March 3, 2003	11:20 a.m.	25	24		1
April 4, 2003	12:19 p.m.	28	28		
May 2, 2003	12:30 p.m.	29	12		17
June 6, 2003	12:40 p.m.	28	5		23
July 11, 2003	12:35 p.m.	26			26
September 19, 2003	11:44 a.m.	22			22
October 29, 2003	11:48 a.m.	28			28
November 21, 2003	11:50 a.m.	28			28
Total			119		145

By scheduling 7 to 9 appeals within a 30 minutes period, the board processed a total of 264 appeals in 2003, averaging 26 appeals per meeting. As shown above, through April 4, 2003, the board handled a total of 101 appeals, all from 2002.

Board Compensation - In 2003, the 5 members of the Administrative Review Appeals Board were paid \$7,380, \$180 per meeting, increased from \$90 per meeting, effective December 22, 2002, the first pay period for 2003. This includes:

Name	# of Meetings	Compensation	Comments
D. Blanks	8	\$1,440	
D. Borowski	6	\$1,080	Elected as judge in July, 2003.
R. Evans	10	\$1,800	
F. Sepic	10	\$1,800	
C. Theis	8	\$1,260	
Total		\$7,380	

With 5 board members conducting meetings which lasts approximately 2 ½ - 3 ½ hours, for an average of 26 appeals per meeting, the cost for board members per appeal is approximately \$34.62.

Staff Time - City Clerk's Office - A staff assistant (SA) and council file specialist (CFS) are assigned to the board. Their duties associated with the Administrative Review Appeals Board include:

Tasks per meeting	CFS	SA
- Logs appeals in database, etc. averaging 10 per week@ 5 minutes per	3.50 hrs	
- Review the appeal and discuss with department and appellant		3.50 hrs.
- Jumble letters to appellants, 3 a week at 10 – 15 minutes per		3
- Create monthly agenda and mails to appellant, departments and Board	3	3
- Talks with DNS and City Attorney's office regarding appeals		1

- Copies appeals for board members and departments, mails copies	2	2
- Copies additional DNS info regarding the appeal, mails copies	1	1
- Attends Board meeting; sets-up, takes minutes; summarizes decisions	4	8
- Mails letters to appellants noting the Board decisions; files	5	3
Total	17.5 hrs.	24.5 hrs.

The staff assistant, SG006, receives approximately \$2,335 bi-weekly, or \$29.20 per hour. Activities associated with the monthly board meeting is about 24.5 hours per month, \$715.40 per month. With an average of 26 appeals per meeting, the staff assistant cost per appeal is approximately is **\$27.51**. The council file specialist, SG455, receives approximately \$1,385.31 bi-weekly, or \$17.32 per hour. The costs associated with the monthly board meeting is about 17.5 hours per month, \$303.10 per month. With an average of 26 appeals per meeting, the council file specialist cost per appeal is approximately is **\$11.66**.

Department of Neighborhood Services – The nuisance & environmental health manager and an office assistant IV represent DNS for appellant cases. The office assistant IV pulls each file for the manager to review and updates billing invoices with any changes due to board decisions, about 6 hours per month. The manager reviews all of the DNS cases on the agenda, attends all of the monthly Board meetings, and notes all changes and decisions that affect billed invoices, about 12 hours monthly.

The nuisance & environmental health manager, SG008, receives approximately \$2,495 bi-weekly, or \$31.19 per hour. Activities associated with the monthly board meeting is 12 hours per month, \$374 per month. The average of 26 appeals per meeting, the manager cost per appeal is approximately **\$14.40**. The office assistant IV, SG445, receives approximately \$1,315 bi-weekly, or \$16.43 per hour. With 6 hours of activities associated with the monthly board meeting, the cost is \$99 per month and with an average of 26 appeals per meeting, the office assistant IV cost per appeal is approximately **\$3.81**.

City Cost per Administrative Appeal - These monthly costs are based on cases heard by the Board in 2003:

Board Members

Maximum cost for board members at each meeting is \$900, 5 members @ \$180 per meeting	\$900.00
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City Clerk's Office

Staff Assistant, 24.5 hrs per mo @ \$29.20 per hr	\$715.40
Council file Specialist, 17.5 hrs per mo @ \$17.32 per hr	\$303.10

Department of Neighborhood Services

Nuisance & Environmental Health Manager, 12 hrs per mo @ \$31.19 per hr	\$374.00
Office Assistant IV, 6 hrs per mo @ \$16.43 per hr	<u>\$ 99.00</u>
Estimated Total Cost	\$2,391.10

Average cases per meeting	26
Estimated cost per case	\$92.00