

# HEARING EXAMINER CONTRACT

## PURPOSE OF PRESENTATION

- Review Types of Land Use Decisions
- Briefing on Role of the Hearing Examiner Office
- Overview of Appointed Hearing Examiner

## WHY IS THIS ISSUE IMPORTANT?

1. Hearing Examiner system is established in Chapter 1.20 of the SeaTac Municipal Code to conduct quasi-judicial hearings and issue decisions
2. City's Hearing Examiner since 2004 retired at the end of the year.
3. City Manager's appointment of new Hearing Examiner requires confirmation by City Council.



# POTENTIAL COUNCIL ACTION

## ACTION REQUESTED

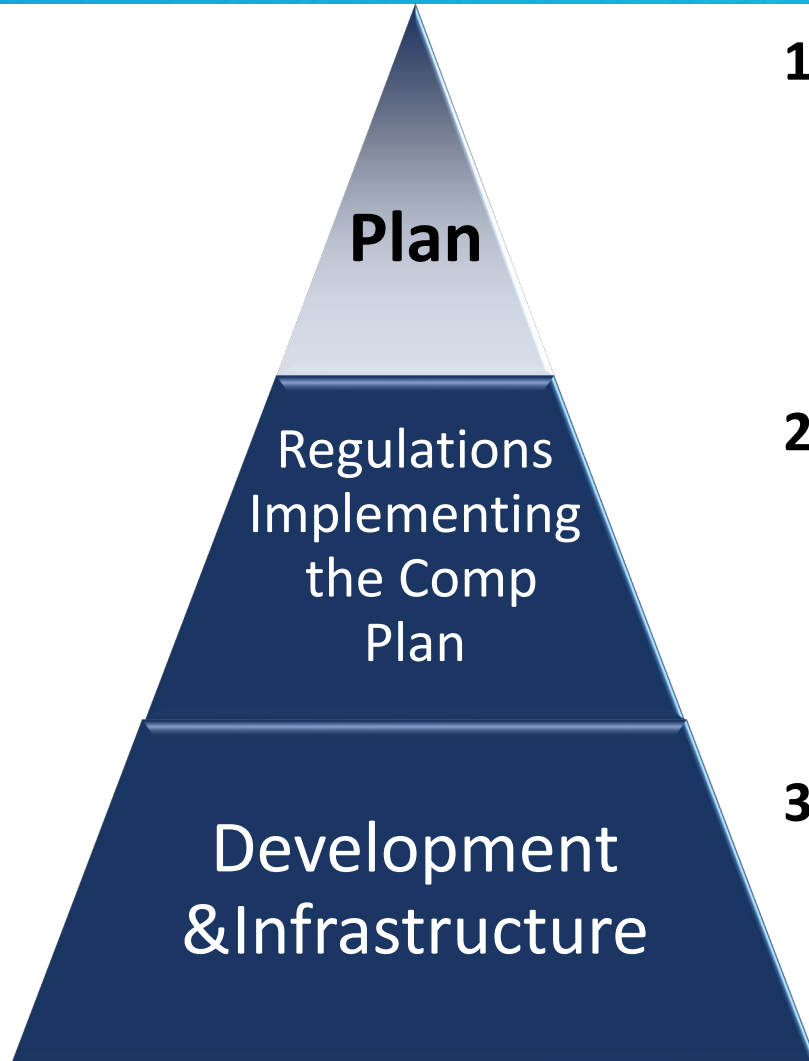
- Approve AB 5859 on January 25, 2022.

**STAFF RECOMMENDATION:** Approve

**COMMITTEE RECOMMENDATION:** None. At the January 11, 2022, Regular Council Meeting, the City Council referred the contract to the January 25, 2022, Regular Council Meeting.



# LAND USE DECISION TYPES



- 1. Legislative (Long Range Planning)**  
Planning Commission developing and Council adopting policies and development regulations.  
**(Making the Rules)**
- 2. Quasi-Judicial (Current Planning)**  
Hearing Examiner reviewing and making recommendations or decisions on permit applications.  
**(Acting as a judge)**
- 3. Administrative (Current planning)**  
Staff reviewing land development applications.  
**(Applying the rules)**

# HEARING EXAMINER ROLE

Involved in **quasi-judicial activities**.

- Appeals, conditional use permits, planned unit developments, preliminary subdivisions, variances, shoreline permits, site-specific rezones etc. (Type III Land Use Permits)
- Provides a separation from the legislative branch (rule-making) and the executive / judicial branches (rule-enforcement) of government.
- Reduces local government liability exposure through more consistent and legally defensible quasi-judicial decisions.



# APPOINTED HEARING EXAMINER

- Andrew Reeves of Sound Law Center selected through RFQ process.
- Served as the Hearing Examiner for over 30 jurisdictions in the State.
- Held hearings and/or written decisions on over 500 land use, environmental, and administrative law matters.
- Resolution authorizes contract for a two-year term with Sound Law Center and Mr. Reeves for Hearing Examiner and Hearing Examiner Pro Tem services.
- Land use applicants are required to pay for the cost of Hearing Examiner services.



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**QUESTIONS?**

